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MEMOIR

OF

THE LIFE, CHARACTER, AND WRITINGS

OF

JOHN ADAMS;

READ, MARCH 16, 1827,

IN THE

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AT THE REQUEST OF

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1827.

MEMOIR

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THE LIFE, CHARACTER, AND WRITINGS

OF

JOHN ADAMS.

Mr. President, and
Gentlemen of the Columbian Institute:

INDIVIDUAL character is formed more by example than precept.

Our Creator has graciously given us the faculty of judging between moral right and wrong; and has disposed us to approve the one, and disapprove the other.

We perceive that a majority of our fellow-men form the same judgment upon the same actions, and give their confidence to him who does well, and refuse it to him who does ill. That confidence is, to him who enjoys it, the source of influence, power, prosperity, and happiness; and we are naturally led to inquire by what means *he* acquired it, that we also, if possible, may, by the like means, obtain the same happiness.

Hence arises the interest we take in the biography of illustrious men. Hence, also, the benefit of their example.

In an Institution, whose object is the promotion of the arts and sciences, it is peculiarly proper that some notice should be preserved of the life, character, and writings, of those philosophers and patriots who have largely contributed to the same object.

Into the science of government, into the foundations of political society, and of the rights of man, whether in his

natural or social state, no man searched deeper than the late venerable JOHN ADAMS, of Quincy, one of the honorary members of this Institute.

To appreciate, justly, the patriotic labors of our Revolutionary characters, it is necessary to take a rapid retrospect of the state of the country at the time they commenced their career of toil and glory; and to ascertain, if we can, how far their predecessors had advanced in asserting those principles which led to the ultimate Independence of the American Colonies.

Before our ancestors first visited America, the English barons had, in some measure, circumscribed the royal prerogative, and had, for themselves and for the people, extorted, from successive monarchs, reluctant acknowledgments, in the form of grants, of rights essential to the enjoyment of personal and civil liberty.

They found it necessary, for their own security, to suffer the people to participate in the sovereign power; especially in regard to the levying of money. For, if the king could raise money from the people, at his will, he could, at any time, subdue the barons; and, for the same reason, they also found it necessary to retain, in their own hands, a negative upon the power of the commons to grant subsidies to the king.

The king also found it necessary for his own protection to retain a *veto* upon both lords and commons.

It was thus that their mutual fears formed a practical constitution, which it became their mutual interest to support.

By means of the fears of the nobility, and the wants of the crown, the commons had been continually acquiring power; and, as they acquired power, they became proud of their liberty.

And well might the Englishman, even of that day, when he looked round upon his neighbors, boast of his freedom.

The nation, too, had thrown off from its breast that *incubus*, the papal hierarchy, and had begun to breathe more freely.

It is true, that the individuals of the nation had only exchanged one hierarchy for another; but national inde-

pendence was one step gained towards individual emancipation.

The *reformation* was founded upon the principle, *that the human mind is free;* and that principle once established, no hierarchy could be supported without the aid of the civil magistrate. The reformation not only *allowed* men to think, but *obliged* them to think; and to reason too, in support of the ground they had taken.

When once an honest mind is seriously engaged in the pursuit of truth, it will not voluntarily stop short of its object; and if the object be religious truth, and it find its path obstructed by a *political* barrier, it will examine the foundation of that barrier with as much boldness as it does that of the religious dogma.

The principle of the reformation is continually undermining the foundations of the English hierarchy, and will ultimately prevail. Truth is constantly gaining, and keeps what it gains. Error never recovers what it has once lost.

With the reformation came also the art of printing; as if sent from Heaven to dispel the cloud of superstition which had darkened the human mind. A flood of light burst upon the world. The mitre, when examined in broad day, lost its sanctity; and the chain its terror. The principles of civil and religious freedom began to be understood, although little practised.

Men could see what was abstractly right, while their conduct was practically wrong.

The church and the government, bound by mutual interest to support each other, influenced a vast majority of the people; and notwithstanding the principle of the *reformation* was universal toleration, the spirit of the age was religious bigotry.

Our forefathers of New-England were non-conformists, and fled from the fury of ecclesiastical tyranny. Their opposition to the English hierarchy commenced almost with the reformation itself. They had not only fought the battles of *protestantism,* but had commenced a new warfare against *episcopacy.*

To use the language of a late writer, "It was not the wearing of the surplice, or the kneeling at the altar, that they objected to, so much as the authority that would

impose them, and the danger of the precedent, should they once submit to the imposition. It was the bold and vigorous stand that they made against arbitrary power; their determination to live and to die by the principle, that the scriptures are the only authority to be acknowledged in religious matters, reserving to themselves the right of judging what scripture is, and what scripture means; it was their determined and prompt resistance to all usurpations over the mind and conscience, in whatever shape they might come, and however trivial in their first demands; which stamped the character of the men, and I may add, the character of the race. It was not their peculiar opinions, nor their peculiar practices, which they transmitted to their descendants; but what they valued more than either, their peculiar spirit." *

The principle of Independence was interwoven with their forms of church government. They held that every congregation of Christians possessed, within itself, all ecclesiastical powers and faculties, to be exercised and applied according to the will of the majority. They acknowledged no external or superintending authority, and they watched, with searching jealousy, every motion in church or state, that threatened the infringement of that independence. Upon the question of church government and discipline, they were extremely tenacious. Upon this point they had grown up in a state of continual warfare; and had acquired an acuteness of argument, and a pertinacity of purpose, which they brought with them to this country, and communicated to their descendants. They had lived in a country where almost every man's hand was against them; and where they gloried in being victims to the cause of truth and liberty. Many of them were deeply read in the civil as well as ecclesiastical polemics of the times, and were equally ardent in both; and when they fled to this country, they sought political, not less than religious liberty. They sought Independence not only of church, but of state. It was for this they left their native land; their dearest connexions; the tombs of their fathers; the graves of their children; the mild climate and the verdant lawns of England, and plunged into

* "Causes of the Progress of Liberal Christianity in New-England."—Boston, 1826.

the stormy main—"the world before them"—"Providence their guide."

Compared with mental slavery, the sea had no terrors for them;—they heard not the howling of the storm, or the roaring of the surf; the cry of the wild beast, or the yell of the savage.

Would such men as these, after escaping from such tyranny; after encountering such dangers; after enduring such sufferings; have consented to be dependent upon the parliament of Great Britain for their laws? Would *they* have agreed that the parliament should *legislate* for *them* in all cases whatsoever? Pass new acts of uniformity for *them?* Establish over *them* another hierarchy? Tax *them* to any amount, without their consent?

No!—Having encountered every thing but death—death, or successful resistance, would have been their next resort.

Independence was brought in the first vessel that touched the shore of New England. It was planted in the soil. It grew and flourished; and not a leaf was suffered to wither.

The first colony which landed in New England consisted of a part of the Rev. John Robinson's congregation of puritans, who had before been driven, by the ecclesiastical tyranny of England, to seek refuge in Holland.

On the 11th of November, 1620, before they landed, they entered into a written agreement for the government of the colony. This was an act of complete independence. They were not within the territorial bounds of their patent, and had no authority from the crown, or from the Plymouth company, to form such an agreement. It was the first written constitution which ever spontaneously emanated, in America, perhaps in the world, from the original source of power—THE PEOPLE.

Under this government they enjoyed real independence, until the year 1692, when Plymouth was united with Massachusetts, under the charter of William and Mary.

Indeed, so much of self-government, was enjoyed by all the colonies, whether under royal charters, or royal governments, that they were, in fact, almost independent

even of the crown, and were, of right, independent of parliament.

It was to the king, and not to parliament, that dominion accrued in right of discovery, or in right of conquest. Parliament could legislate only for its constituents; it could not, upon any constitutional, or common law principle, legislate for the king's foreign dominions. To the king, and not to parliament, they applied for charters, and constitutions of government. The emigrants were born under his allegiance, and by birth, as well as by compact, were entitled to all the rights, liberties, and privileges, of native subjects.

The king could not, consistently with those rights and privileges, legislate for them; but he could grant them the power to legislate for themselves. Their allegiance was due to the person of the king, not to his political character, as chief magistrate of England or of Great Britain. They owed no allegiance to parliament, nor could an act of parliament, upon any principle of the constitution, or of the common law, operate, as such, out of the realm.

The duty, correlative to allegiance, is protection. That duty did not devolve on parliament, but on the king.

Hence we find no applications made to parliament for assistance, support, or protection. No petitions to parliament for acts of legislation. No interference of parliament between the king and his colonies. No negative reserved to parliament, to the acts of the colonial legislatures. No appeal from the colonial tribunals of justice to the house of lords.

The power of annulling their laws, of revising their judicial decisions, and of redressing their grievances, was reserved to the king in council.

Among the dearest and most essential rights, privileges and liberties, of native Englishmen, and to which the colonists were entitled, both by birth and by charter, was that of being bound by no laws, and of paying no taxes, to which they had not assented by their representatives. The colonists could not, according to the English constitution, be represented in parliament; and the only way, in which they could enjoy that privilege, was through the medium of a colonial legislature.

Hence, all the colonies were, either by their charters, or by the commissions of their governors, or by tacit acquiescence, permitted to elect one branch, at least, of their local legislatures, and these legislatures had power, subject to the royal negative, to pass all laws necessary for the government of the respective colonies (not repugnant to the laws of England;) to lay and collect taxes for the support of their governments; to raise troops for their defence; to make war and peace with the natives; to erect tribunals of justice; and to coin money.

These almost sovereign powers were exercised, for many years, with little or no interruption by parliament.

It was admitted by the colonies that parliament had the right of regulating *the trade* of the kingdom.

From the *nature* of the case, the laws upon that subject could not fail to affect the colonies; and, from the *necessity* of the case, they acquiesced in such laws, but generally took care to express their assent by their own acts of legislation.

In the year 1651, during the Commonwealth, and again in 1660, after the restoration, parliament passed the celebrated Navigation act, and subsequently, other acts of trade, by which, among other things, the carrying trade of the colonies was intended to be limited to British ships, and the whole colonial trade monopolized by Great Britain.

These laws, however, were not rigidly enforced in the colonies, and so long as they were confined to the necessary regulation of trade, were not opposed. Their binding effect, however, was supposed to be rather the consequence of the assent of the colonies either express or implied, than of any obligatory force which they possessed in themselves.

Parliament, indeed, seems never to have doubted its power to bind the colonies in all cases whatsoever;* but to this extent it was never acknowledged by any of the colonies. All denied the right to tax them for the purpose of raising a revenue; but upon the question of the general power of parliament over the colonies, there was much diversity of sentiment; and for many years the

* See Note 1, at the end.

public opinion was unsettled. Indeed, the true principles upon which the question ought to be decided, were not clearly developed and generally understood, until the very eve of the Revolution. It was not until the parliament had manifested a disposition to raise a revenue from the colonies, without their consent, that they began to question its general authority.

They who first broke ground upon this point found themselves embarrassed by the tacit acquiescence of the colonies in many acts of parliament respecting their affairs, and by unguarded admissions made by some of the colonial legislatures. These, however, were opposed by *much more frequent denials of the right of taxation;* to the exercise of which right the opposition was, for a long time, confined.*

The war with France was terminated by the treaty of Paris, in 1763. During that war, although Great Britain had entertained the idea of raising a revenue in America, she thought it prudent to refrain from every thing that might irritate the colonies. But, from the moment of peace, finding herself almost overwhelmed with the national debt, she resumed her project.

To this she had been stimulated by men, high in office in the colonies, who hoped to have the distribution of that revenue among themselves and their friends.

But the colonies themselves were also deeply in debt, in consequence of their great exertions in the common cause; and contended that they had contributed their full share of the expenses and of the burden of the war.

Their attachment, however, to their parent state, was never stronger than at that moment: and, if ever the ministry could hope to succeed in their plans, it was in the midst of that enthusiastic attachment, and while the colonies were exulting in the glory of Great Britain, in which they themselves had so largely participated.

We have thus taken a glance at the situation of the colonies at the time Mr. Adams commenced his public life; and have seen that the right of parliament to legislate for the colonies, in any case, had not been expressly admitted by any of them; that the right to tax them for

* See Note 2, at the end.

the purpose of raising a revenue, had been expressly and uniformly denied by all; and that they had strenuously and pertinaciously asserted their rights, while they disavowed all views of independence, and acknowledged unqualified allegiance to the king.

Although they thus denied all claim to independence, yet having so long enjoyed its substantial benefits, their claim to the rights which they had so enjoyed, was little short of absolute independence. It was, in truth, a claim to be independent of *parliament*, but not of the king.

Their allegiance to their common king was the only cord which bound them to their parent state. Through that organ alone, had they received the little nutriment which had been afforded them in the early stages of their existence; and when they should be fitted to breathe the air of independence, it would be only necessary to sever that tie.

The period we are now contemplating, is the peace which followed the treaty of Paris, in 1763.

John Adams was then in his 28th year. He was born on the 19th of October, (old style,) in the year 1735, in that part of the ancient town of Braintree, in the then province of Massachusetts Bay, which has since been erected into a separate township, by the name of Quincy, and which lies about ten miles south of Boston, on the shore of Massachusetts Bay.

His father, whose name was also John, was the son of Joseph, the son of Joseph the son of Henry, who fled from Devonshire, in England, with other puritans, about the year 1630. He, (Henry Adams,) was one of the original proprietors of the town of Braintree, incorporated in the year 1639. Mr. Adams's mother was named Susanna Boylston, and was a relative of Doctor Zabdiel Boylston, who first introduced into America, and, indeed, into the British dominions, the practice of inoculating for the small-pox.

The ancestors of Mr. Adams were substantial yeomen, owning the fee-simple of their lands, and maintaining themselves and their families, in a frugal style, by their own labour.

The subject of this sketch, having, when a boy, discovered a fondness for his books, and a retentive memory,

his father determined to give him a collegiate education; and, to prepare him for entrance into Harvard College, he was placed under the tuition of Mr. Marsh, a very respectable gentleman, who was also, afterwards, the instructor of Mr. Josiah Quincy, who bore so conspicuous a part in the early contests of the colonies with the parent state.

Mr. Adams received his degree of bachelor of arts from the college, in 1755, and of master of arts, in 1758. It was the custom in those aristocratic times, instead of placing the names of the students alphabetically, in their class, to place them successively in the order of the supposed rank or dignity of their parents. The name of John Adams stands in the middle of his class.

It is said that, while at college, he was distinguished by great assiduity in his studies, a retentive memory, acuteness of reasoning, originality and boldness of thought, strength of language, and an openness and honesty of character, which could neither assume, nor tolerate disguise.

Immediately upon finishing his collegiate course, he began to read law at Worcester, in the office of Colonel James Putnam, who is stated, by Mr. Adams himself, to have been a gentleman of great acuteness of mind, an able lawyer, and having a very extensive and successful practice.

Mr. Adams's spirit of independence would not suffer him to be any longer a burden to his father, and, in order to pay his expenses while reading law, he kept a school, in which he taught the Latin and Greek languages. Here commenced an intimate friendship between Mr. Adams and Mr. Jonathan Sewall, who was about seven years his senior, and who afterwards took the opposite side in politics, and became attorney-general of the province, in 1766.

That his thoughts were early turned towards the political state of his country, and her future destiny, we have the strongest evidence, in a familiar letter, written by him soon after he left college, and just as he was beginning the study of the law at Worcester, and which has fortunately been preserved.

This letter discovers that keen glance into the future; that comprehensive view of the past; that rapidity of combination; that knowledge of the statistics of his country; that originality of thought, and that boldness of conception, for which he was remarkable through life.

No one can fail to discover in it the future statesman. It was written a little more than a year after the 4th of July, 1754; on which day Washington was captured by the French in fort "*Necessity*," and Franklin signed the plan for a confederation of the states at Albany; about three months after the defeat of General Braddock; and during the war with France. The writer was not quite twenty years of age. It is dated at Worcester, on the 12th of October, 1755. The following is an extract:

"Soon after the Reformation, a few people came over into this new world for conscience' sake. Perhaps this apparently trivial incident may transfer the great seat of empire into America; it looks likely to me; for, if we can remove the turbulent Gallicks, our people, according to the exactest computations, will, in another century, become more numerous than England herself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain the mastery of the seas; and then the united force of all Europe will not be able to subdue us.

"The only way to keep us from setting up for ourselves, is, to disunite us. *Divide et impera.* Keep us in distinct colonies; and then some great men in each colony, desiring the monarchy of the whole, they will destroy each other's influence, and keep the country *in equilibrio.* Be not surprised that I am turned politician; the whole town is immersed in politics. The interests of nations, and all the *dira* of war, make the subject of every conversation. I sit and hear, and, after having been led through a maze of sage observations, I sometimes retire, and, by laying things together, form some reflections pleasing to myself. The produce of one of these reveries you have read above."*

Let us now see what those pleasing reflections were. That America would become more populous than Eng-

*See Note 3, at the end.

land herself. That, as we have all the naval stores of the nation, it would be easy to obtain the mastery of the seas, and then the united force of all Europe would not be able to subdue us. That we should *set up for ourselves;* and that the great seat of empire would be transferred to America.

What a brilliant view was this, bursting through the gloom which then overhung the country!

Washington had been captured; Braddock completely defeated; and the plan of confederation had failed through the policy of England, which was to *divide and govern.* Here may be seen the source of that ardor in the cause of America; that inflexible pertinacity of purpose, which distinguished him through the whole contest, and enabled him to cheer, encourage, and support, his sometimes almost desponding countrymen in the arduous struggle.

In 1758, he was introduced by Col. Putnam to Jeremiah Gridley, then attorney-general of the province, and at the head of the bar. Mr. Gridley, perceiving the strength of his mind, admitted him at once to his confidence, and proposed him to the bar of Suffolk, as a candidate for practice.

It is said that Mr. Gridley, as a great secret, informed Mr. Adams, that his own reputation, as a lawyer, was principally founded upon his acquaintance with the writers upon the *civil* law, recommended them to his attention, and offered him the use of his library. Mr. Adams eagerly seized the opportunity, and made himself well acquainted with all the important principles of that celebrated code.

He also became a favorite of James Otis, who was afterwards the leading patriot of Massachusetts.*

Mr. Adams began the practice of the law in the year 1758, in that part of his native town, now called Quincy. It is said that he first brought himself into notice, at the bar, in the county of Plymouth, by his defence of a prisoner; and, from that time, he was never in want of profitable employment.

In 1761, he was admitted to the degree of barrister at law, and upon the death of his father, came into possession of a small landed estate. It was in this year that

* See Note 4, at the end.

the opposition to parliamentary taxation began to assume a more serious aspect, and to be reduced to principle.

"Of the determination of the British cabinet to assert and maintain the sovereign authority of parliament over the colonies, in all cases of taxation and internal policy, the first demonstration which arrived in America, was an order in council to the officers of the customs in Massachusetts Bay, to carry into execution the *acts of trade*, and to apply to the supreme judicature of the province for *writs of assistance*, to authorize them to break and enter all houses, stores, &c. to search for and seize goods, on which the taxes, imposed by those acts, had not been paid."* Application was made to the court, at Salem, for such a writ, but the court, doubting its constitutionality, ordered the question to be argued by counsel, at the February term, 1761, in Boston.

The community was greatly alarmed. The merchants of Salem and Boston applied to Mr. Otis to defend them against that formidable instrument of arbitrary power. He engaged in their cause; but, considering it the cause of his country, he not only refused their fees, but resigned the lucrative office of advocate-general in the court of admiralty, that he might argue the cause with perfect freedom.

Those acts of trade had remained a half century, and some of them a whole century, unexecuted; "and there never was a time," says Mr. Adams, in a letter to Mr. Tudor, "when they would have been, or could have been obeyed."

No one can read Mr. Adams's account of Mr. Otis's argument, without believing with him, "that it breathed into this nation the breath of life;" and, "that American Independence was then and there born."†

Mr. Adams needed no one to breathe into *him* the breath of life. The spirit which had moved over the waters, had come to *him*. Like Columbus, he had seen in vision, the future glory of his country; the flame of independence had been lighted in his soul, and the speech

* Mr. Adams' letter, 14th January, 1819, in Niles' Register.

† See his letters to Mr. Tudor, published in 1819, with the pamphlets, *Nypmgius* and *Massachusettensis*, p. 231, and 246.

of Mr. Otis could only add new fuel to the fire which was already so ardent in his own bosom.

From the year 1761 to 1765, Mr. Adams was engaged with his professional pursuits, although it is probable that, during that period, he occasionally contributed to the newspaper essays in favor of the rights of the colonies, with which the press, at that time, abounded.

In 1764, he married ABIGAIL SMITH, the second daughter of the Rev. William Smith, of Weymouth, (the town next south of Braintree) and grand-daughter of Col. Quincy, of Mount Wollaston, in remembrance of whom the town of Quincy was named.

Mrs. Adams derived from her ancestors, who were among the most learned of their age, a taste for polite literature, and had received a mental education, far superior to the female instruction then common in New England; and she possessed a soul as elevated and ardent in the cause of her country, as that of her husband. She had also a coolness of judgment, a self-command, and a suavity of manner, which often imperceptibly guided and tempered the workings of his mighty mind. During his absence, which, with a very short interval in 1779, was from 1777 to 1785, she conducted his affairs with great prudence and judgment; and, during that period, maintained a very extensive correspondence, which, if it should ever see the light, will do no less honor to her intelligence than to her patriotism.

In 1765, Mr. Adams published, in the Boston Gazette, some pieces under the title of "*An Essay on Canon and Feudal Law.*" They were re-printed in London, in 1768, by *Almon*, with the title of "*A Dissertation on the Canon and Feudal Law,*" and were then attributed to Mr. Gridley, the attorney-general of the province of Massachusetts Bay; and were said, by the friends of the colonies, to be among "the very finest productions ever seen from North America."*

The object of the writer was not to elucidate the principles of the canon or the feudal law, but to hold them up to Americans as objects of abhorrence; to show the conspiracy between church and state, to oppress the peo-

* See Note 5, at the end.

ple; and hence to take occasion to inculcate the genuine principles of freedom; to prove that the only legitimate foundation of all government is the will and happiness of the people; to rouse America to the assertion of her rights, and to prepare her for maintaining them by force, if force should be necessary.

Speaking of the rights of the people, he uses this bold and energetic language,—"I say RIGHTS; for such they have, undoubtedly, antecedent to all earthly government;—rights, that cannot be repealed or restrained by human laws;—rights, derived from the great Legislator of the Universe." Alluding to the struggle by the people against the confederacy of temporal and spiritual power in the times of the Stuarts, he says—"It was this great struggle that peopled America. It was not religion *alone*, as has been generally supposed; but it was a love of *universal liberty*, and an hatred, a dread, an horror of the infernal confederacy before described, that projected, conducted and accomplished, the settlement of America. It was a resolution formed by a sensible people, I mean the *puritans*, almost in despair."

"The leading men among them were men of sense and learning. To many of them, the historians, orators, poets, and philosophers of Greece and Rome were quite familiar."—"Religious to some degree of enthusiasm, it may be admitted they were; but this can be no *peculiar* derogation from their character, because it was, at that time, almost the *universal* character not only of England, but of Christendom."

"Tyranny in every form, shape, and appearance, was their disdain and abhorrence.

"No fear of punishment,—not even death itself *in exquisite tortures*, had been sufficient to conquer that steady, manly, pertinaceous spirit, with which they had opposed the tyrants of those days in church and state."

"They saw clearly that popular powers must be placed as a guard, a controul, a balance, to the powers of the monarch and the priest, in every government, or it would soon become a great and detestible system of fraud, violence and usurpation."

"They knew that government was a plain, simple, intelligent thing, founded in nature and reason, and quite

comprehensible by common sense." "Rulers are no more than attorneys, agents and trustees for the people; and if the cause, the interest, the trust are insidiously betrayed, or wantonly trifled away, the people have a right to revoke the authority that they themselves have deputed and to constitute better and abler agents, attorneys and trustees."

Alluding to the British ministry, and to the indignities which the colonies had suffered, he says:

"Believe me, my countrymen, they have imbibed an opinion on the ohter side of the water, that we are an ignorant, a timid, and a stupid people; nay, their tools on this side, *have often the impudence to dispute your bravery.* But I hope in God the time is *near at hand,* when they will be fully convinced of your understanding, integrity and *courage.*"

These few passages have been selected rather on account of the sentiments they contain, than as samples of the spirit of the essay.

He goes on to rouse his countrymen to opposition to the arbitrary acts of parliament, in a strain of fervid eloquence, excited, if not kindled by that "flame of fire," which lighted up the soul of his friend Otis in the argument against writs of assistance.

It is impossible to read this essay without admiring the boldness, the strength, and the energy, with which it was written, and without perceiving that the writer was far in advance of his countrymen in the pursuit of Independence.

On the 18th of December, 1765, a memorial from the town of Boston was presented to the governor, praying that the courts, which had been shut in consequence of this opposition to the stamp-act, might be again opened; and Mr. Adams, was employed as counsel, with Mr. Gridley and Mr. Otis, to support the memorial before the governor and council. The courts were, soon after, opened.

In 1765, Mr. Adams removed to Boston, where he could attend more conveniently to his then extensive practice, and mingle more intimately with his co-patriots, Gridley, Thacher, Otis, Samuel Adams, Cushing, Hancock, Quincy, Mayhew, Cooper, Chauncey, the War-

rens, Lovell, Paine, Worthington, Hawley; and a host of others not less ardent in the cause of freedom.

The crown officers of the province were in hopes that the patriotism of Mr Adams had its price; and in 1768, offered him, through his friend Sewall, the office of advocate-general, in the court of admiralty, then the most profitable place in the gift of the governor, and that which led most directly to the highest provincial honors in the gift of the crown. This office, Mr. Adams, in his preface to the late edition of *Novanglus*, in 1819, says, he "decidedly and peremptorily, though respectfully, refused."

In 1769, he was chairman of the committee of the town of Boston, who reported the instructions to their representatives to resist the arbitrary measures of the British government. When those instructions were drawn up, an armament by sea and land invested that metropolis; and a military guard surrounded the state-house, with cannon pointed at the very door. Both houses of parliament, by very large majorities, had approved the conduct of the king; assured him of effectual support; and had prayed him to cause prosecutions to be instituted, *within the realm*, against all who had committed treason, in Massachusetts, since the year 1767, agreeably to the act of parliament of the 35th of Henry VIII.

The instructions from the town of Boston, no doubt, assisted in giving pungency and force to the strong resolutions subsequently adopted by the legislature of Massachusetts, which, together with those instructions, were the immediate occasion of the order to the governor to withdraw the *provincial* garrison from the castle, and to replace it with *regular troops*, in the pay of the crown. Those instructions also constituted one of the specific charges against the colony reported by the committee of the lords of council for the plantation affairs, to the lords of council on the 6th of July, 1770.

In that year, (1770,) a circumstance occurred, calculated to test the firmness of Mr. Adams. He had, hitherto, exerted all his talents to rouse the people to a just sense of their rights, and to stimulate them to their defence, at all hazards. He had assisted in exciting a spirit which he was now called upon to control, and to allay passions which he had assisted to kindle. He was now to

breast the storm, which he had, not designedly, contributed to raise.

The irritations between the soldiery and the people had at length proceeded to insult and violence, which resulted in the death of several of the citizens who were fired upon by a party of soldiers under the command of Capt. Preston, on the 5th of March, 1770.

The offending soldiers were given up to the civil authority for trial, and Mr. Adams was called upon, by Captain Preston, to undertake their defence, assisted by Mr. Josiah Quincy, and Mr. Sampson S. Blowers. The people were exasperated, almost to a state of madness. He had been accustomed to stand before the "*vultus instantis tyranni;*" he was now called upon to oppose the "*civium ardor prava jubentium.*" Firm, and tenacious of his purpose, his mind was not shaken by the popular clamor.

He saw that the honor of his country was at stake, and he rejoiced in the opportunity of showing to the world, that the cause of America did not depend upon a temporary excitement, which could stifle the voice of justice; but upon the sober, steady, persevering, determination of the people to support their rights. He and his friend Quincy were then among the most popular members of the bar; and the opinion entertained of their integrity by the opposite party, could not have been more clearly evinced, than by thus selecting them as counsel for the supposed victims of popular indignation. The counsel managed the cause with great ability, and satisfied a jury, taken from amidst the exasperated multitude, that it was a case of justifiable homicide.*

Nothing aided the American cause more than this remarkable triumph of law and justice over the passions of the moment; and the counsel for the prisoners lost nothing of their popularity by thus vindicating the justice of their country. On the contrary, Mr. Adams was, at the next election, in May, 1770, for the first time, chosen one of the representatives of the town of Boston, in the

* Captain Preston was acquitted on the 29th of October. The eight soldiers were tried on the 8th of December. Six of them were acquitted, and two found guilty of manslaughter, only. Those two were slightly branded and discharged.

general assembly. Here he supported that stern republican, the elder Adams, in all those high toned measures of opposition which excluded the latter from the general pardon afterwards offered by the British government. He was on the committee who reported the message from the House of Representatives to the lieutenant governor, on the 31st of May, 1770, remonstrating against the removal of the general court from Boston to Cambridge; and on other committees who were afterwards appointed upon the same subject; and when after a long contest between the lieutenant governor and the House of Representatives, the House determined, under protest, to proceed to business, Mr. Adams voted in the negative. He was also on many other committees who reported some of the most important state papers of the time.

In 1773, the ministerial regulation, for paying the salary of the judges, which rendered them wholly dependent on the crown, was the occasion of an able discussion in the public papers between Mr. Adams and Mr. William Brattle, a member of the council. Mr. Adams's essays were written with great learning and strength of argument, and tended much to enlighten the public mind on a question of great importance. They were published under his proper signature, in the Boston Gazette, in February, 1773, and subjected him to the displeasure of governor Hutchinson, who, when Mr. Adams was elected into the council in the following month of May, put his negative upon the choice.

In 1774, he was again rejected by governor Gage. He was one of the committee of the town of Boston, who drew up the celebrated resolutions, on the Boston-port-bill, which demonstrated to the world that the more the people of that devoted town were pressed the more elastic they became; and that their spirit could not be broken. It was in times like those that his value was felt and acknowledged. Through all the gloom *he* could still see the light by which to steer his course. The vision of his youth was still before his eyes.

On the 17th of June, 1774, governor Gage dissolved the last general assembly which was holden under the charter. While the door of the House of Representatives was locked, to exclude the governor's secretary, who was

waiting to dissolve the assembly, they passed a resolution to appoint a committee to meet other committees from other colonies, to consult upon their common interests; and Mr. Thomas Cushing, Mr. Samuel Adams, Mr. John Adams, and Mr. Robert Treat Paine were elected, to meet at Philadelphia on the 4th of the following September. Other colonies pursued the same course, and these committees formed the first continental Congress of the Revolution.

It was in this year, and after Mr. Adams had been elected to that congress, that a final separation took place between him and his former friend, Mr. Jonathan Sewall. Although they had professedly taken opposite sides of the contest, their friendship and confidential intercourse had continued up to that time, when they both attended the superior court at Falmouth, now Portland. In the course of a morning walk, which Mr. Sewall had invited, he began to remonstrate with Mr. Adams against his going to congress. He said, that Great Britain was determined on her system: that her power was irresistable, and would certainly be destructive to *him*, and all who should persevere in opposition to her designs. The reply of Mr. Adams was, "I know that Great Britain has determined on her system; and that very determination, determines me on mine. You know that I have been constant and uniform in opposition to all her measures. The die is now cast; I have passed the Rubicon; swim or sink—live or die—survive or perish, with my country, is my unalterable determination."

The conversation was terminated by Mr. Adams saying to his friend, "I see we must part; and with a bleeding heart I say, I fear forever. But you may depend upon it, this adieu is the sharpest thorn on which I ever sat my foot."

This anecdote shows what manner of man he was. His heart was his friend's, but his whole soul was his country's.

On the 5th of Sept. 1774, the first congress met at Philadelphia. Mr. Adams was found in his place, and was appointed upon several of the most important committees, particularly that which stated the rights of the colonies, and that which prepared the address to the king.

The acts of that congress have long since pronounced its eulogy.—On his return to Massachusetts he found that his friend Sewall had sought protection under cover of the British army, and was publishing a series of essays, under the signature "*Massachusettensis,*" written with great address, and which the governmental party considered as a triumphant vindication of their cause. Mr. Adams immediately entered the lists with him, under the name "*Novanglus,*" and published his first number on the 23d of January, 1775, in the Boston Gazette.

This controversy, between the two champions of their respective parties, gives a complete idea of all the causes of dispute between Great Britain and the colonies; and the argument of Mr. Adams, although prematurely closed by the battle of Lexington, on the 19th of April; and although several numbers which had been prepared for the press were lost or destroyed in the confusion consequent upon that event, contains the clearest and most complete vindication of the American cause which had then been published.*

In 1775, it became necessary to appoint a commander in chief of the continental army. General Ward, of Massachusetts, was then at the head of the troops before Boston; and in conference among the members of the Massachusetts delegation in congress it is said they were all, except Mr. John Adams, of opinion that he ought to be elected. Mr. Adams, however, was strongly in favor of Colonel GEORGE WASHINGTON, then a delegate in Congress from Virginia; and, when the conference ended, declared that Col. Washington should be nominated. Accordingly, on the next day, he was, at the request of Mr. Adams, nominated by Mr. Johnson, of Maryland; and on the 15th of June unanimously elected. How far that event contributed to the accomplishment of the great object of the struggle, is known to all the world.

Mr. Adams was on the committee to prepare the commission and instructions for the commander in chief, which, in the then circumstances of the colonies, still acknowledging allegiance to the king, was a matter of much consideration and delicacy.

* See Note 6, at the end.

In 1776, he was appointed chief justice of the State of Massachusetts; but believing that he could be of more service to the cause of his country, by remaining in congress, he declined the office.

On the 6th of May, in the same year, he moved, in congress, the resolution, which was a virtual declaration of independence, recommending to all the colonies, which had not already established governments, suited to the exigency of their affairs, *to adopt such government as would in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.* This resolution was passed on the 15th of May; and on the 7th of June, Mr. Richard Henry Lee, of Virginia, who had been selected for that purpose by the friends of the measure, moved, and Mr. Adams seconded, that solemn resolution, whose boldness astonished the world, "That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown; and that all political connexion between them and the State of Great Britain, is, and of right ought to be, totally dissolved." This resolution was debated from the 7th to the 10th of June, and its further consideration postponed to the 1st of July.

On the 11th of June, a committee was appointed to draw up a provisional declaration, or manifesto, to accompany the resolution and to announce to the world the step which they had thus determined to take, and the reasons for that determination. That commmittee was elected by ballot, and consisted of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. Mr. Jefferson and Mr. Adams were appointed a sub-committee to draft the instrument. Mr. Adams, knowing Mr. Jefferson's fine talent for writing, insisted upon his doing it, and he finally consented. The original draft, in Mr. Jefferson's hand writing, with some trifling interlineations in the hand writing of Mr. Adams and of Doctor Franklin, has been preserved. The small alterations which were afterwards made in congress, tended to soften some of its features, and to accommodate it to the views of some portion of the states; but they were not, in the opinion of Mr. Adams, amendments. He thought

it better in the form in which it came fresh from the hand of Mr. Jefferson.

Mr. Lee's resolution, having been again debated on the 1st and 2d of July, was, on the latter day, adopted. The Act of Congress, containing the Declaration of Independence, was debated on the 2d, 3d, and 4th of July, on which last day it was passed. On the 19th it was ordered to be engrossed and signed by every member of congress, which was done on the 2d of August by those who were then present, and afterwards by such as were then absent; or were elected and took their seats in the course of that year.

It is believed that in debate upon the subject of Independence, Mr Adams had no equal. That opinion was uniformly expressed by the illustrious author of the declaration. "John Adams," said he, "was our Colossus on the floor. Not graceful, not elegant, not always fluent in his public addresses, he yet came out with a power both of thought and expression, which moved us from our seats."*

He was master of every topic connected with the subject. Nothing in history, or the law of nature, or of nations, escaped him. He understood human nature, and penetrated the motives of human action. He knew the resources and spirit of his country, and the policy and temper of foreign governments. He brought all these to bear upon the subject, and beat down every obstacle.

Nor had he lost sight of the delightful vision of his youth. On the 3d of July, the day after the adoption of Mr. Lee's resolution, with what exultation did he write to her who participated in every feeling of his soul:— "Yesterday, the greatest question was decided, that was ever decided among men. A resolution was passed unanimously, "*That these United States are, and of right ought to be, free and independent states.*" "The day is past. The 2d of July, 1776, will be a memorable epoch in the history of America. I am apt to believe it will be celebrated by succeeding generations as the GREAT ANNIVERSARY FESTIVAL. It ought to be commemorated, as the day of deliverance, by solemn acts of devo-

* Mr. Webster's discourse in commemoration of the lives and services of John Adams and Thomas Jefferson,—August 2, 1826.

tion to the Almighty God. It ought to be solemnized with pomps, shows, games, sports, guns, bells, bonfires, and illuminations—from one end of the continent to the other—from this time forever.

"You will think me transported with enthusiasm; but I am not. I am well aware of the toil and blood and treasure it will cost to maintain this declaration, and support and defend these states. *Yet, through all the gloom, I can see a ray of light and glory.* I can see that the *end* is worth more than all the *means;* and that posterity will triumph, although you and I may rue; which I hope we shall not."

Such a letter, so free from the suspicion of having been written *for effect*, could only have been written by one whose whole soul was engaged in the cause.

Although not "*transported,*" yet he had certainly pursued the object "*with enthusiasm;*" and, as he himself had said, ten years before, "no great enterprise for the honor and happiness of mankind was ever achieved without a large mixture of that noble infirmity."* But it is not so remarkable for its enthusiastic exultation, as for its prophetic spirit. Through all the gloom he saw that ray of light, which cheered and animated him through the whole contest. His hopes were fixed upon a solid base; and, although the waves of revolution were rolling round him, "*Eternal sunshine settled on* HIS *head*"

On the 13th of June, 1776, Mr. Adams was appointed Chairman of the Board of War, and continued in that important and laborious office until he was appointed a commissioner to France, in November, 1777. In the mean time, however, he was on many other important committees; particularly on that which prepared the plan of treaties, to be proposed to foreign powers; on that which prepared letters of credence and of instruction to the commissioners who should be authorized to negociate those treaties; and on that which was sent to meet lord Howe, on Staten Island.†

Mr. Silas Deane, who was a commissioner, with Doct. Franklin and Mr. Arthur Lee, at the Court of Versailles,

* Essay on Canon and Feudal Law.

† See Note 7, at the end.

having been recalled, Mr. Adams was, on the 28th of November, 1777, appointed in his place. In February, 1778, he embarked on board the Boston frigate, from the shore of his native town, near the foot of Mount Wollaston. The treaties of commerce and of alliance with France were signed before Mr. Adams arrived. In October, 1778, Doct. Franklin was appointed Minister Plenipotentiary to that Court, whereby the powers of the commissioners were superseded, and Mr. Adams returned to the United States, in July or August, 1779.* Upon his return, he was immediately elected a member of the convention to form a constitution of government for his native state; and was appointed by the sub-committee to make a draft of a project for a constitution, to be laid before the convention. The general construction of the constitution, particularly the division and distribution of power, and the clause respecting the duty of government to protect literature and the arts and sciences, were his. Before the constitution was completed, and within three months after his return from France, he received from Congress, on the 4th of November, two commissions; one appointing him sole Minister Plenipotentiary to treat for peace; the other to form a commercial treaty with Great Britain. On the 17th of November, he embarked on board the French frigate *Sensible*. After a perilous voyage, he was obliged to land at Corunna, in Spain, on the shore of the Bay of Biscay, and travel over the mountains to Paris, where he arrived in February, 1780.

He found the French court quite jealous of his commission to form a treaty of commerce with Great Britain; and the count de Vergennes advised him to keep it secret; with a view, no doubt, to attempt to prevail on congress to revoke it. Mr. Adams refused to communicate to the count his instructions on that subject. He perceived that the French court wished to keep the United States as dependent as possible upon France; and was jealous of every attempt on our part to obtain assistance from other powers. A pretty sharp altercation took place between Mr. Adams and the count, in respect to a claim

* See Note 8, at the end.

set up by France, that, when congress called in the old continental paper money at forty for one, a discrimination ought to have been made in favor of the French holders of that paper. The count complained to congress, and transmitted copies of Mr. Adams's letters. The French minister in the United States endeavored to obtain his recall, but without success. Congress, on the 12th of December, 1780, passed a vote of approbation;* and, on the 9th of June, 1781, refused to join any person with Mr. Adams in the negotiation. But, *after the French minister had held a conference with a committee of congress*, they reconsidered their vote of the 9th of June, and on the 13th added Dr. Franklin, Mr. Jay, Mr. Laurens, and Mr. Jefferson, to the commission to treat for peace; and so altered their instructions as to *bind them hand and foot to the will of France.*

While these intrigues were going on in the United States, Mr. Adams, thinking he could serve his country better in Holland than in France, went to Amsterdam in August, 1780, and soon afterwards received a commission to negotiate a loan. The Dutch people are at all times slow, and hard to be moved; and it must have seemed an almost desperate project to borrow money for the use of revolted colonies, at open war with the most powerful maritime nation in the world; without credit; without revenue; and without even the nominal power of raising a revenue by their own authority. Mr. Adams was a stranger, ignorant of the language of the country, and opposed by the whole influence of the British government, at that time represented by Sir Joseph York, who had resided there twenty-seven years, and who must have known the means by which that influence could be brought to bear most powerfully upon the nation, and its government. He had to contend also with the power and influence of the Prince of Orange; and, what may seem more strange, with the influence and intrigues of France herself,

* "Tuesday, December 12, 1780, Congress took into consideration the report of the committee on the letter of June 26th, from the Hon. John Adams, whereupon, *Ordered*, That the said letter be referred to the committee of foreign affairs; and that they be instructed to inform Mr. Adams of the satisfaction which congress receive from his industrious attention to the *interests* and *honor* of these United States, abroad, especially in the transactions communicated to them by that letter."

the professed friend and acknowledged ally of the United States. She knew that the more friends we made, the less dependent we should be upon her, and the less would be her influence in the American councils.

He found the people of all classes in Holland, perfectly ignorant of the affairs of the United States, and set himself to work, at once, to enlighten them upon that subject. He sought, and found, men of liberal sentiments, friends of freedom and of the rights of man, whose minds kinkled with the view which Mr. Adams presented to them of the wrongs of America; of her struggle for independence; of her present resources; and of her future greatness. But he was obliged to proceed with great circumspection; to feel his way along in the dark; and to learn the interests, characters, and connexions of the leading men. He had scarcely acquired this information when the conduct of the British ministry enabled him to work more boldly. The contempt, insolence, and violence, with which the whole Belgic nation was treated, in consequence of their accession to the armed neutrality, and the discovery of a secret agreement which had been entered into between Mr. William Lee, the American commissioner at Berlin, and the regency of Amsterdam, for a plan of a treaty of commerce and amity, gave Mr. Adams great advantages over Sir Joseph York, and he availed himself of his rival's rashness and impetuosity with great coolness and effect.

Mr. Adams had read some historical writings of *Mr. Cerisier*, with which he was pleased, and which indicated him to be a man of the character he was seeking. He made a journey into the country to see him, and was not disappointed. Mr. Adams spent several days with him, and they became quite intimate. *Mr. Cerisier* set up a political gazette, called "*Le Politique Hollandois*," decidedly favorable to the American cause; and of which, as well as of the *Leyden Gazette*, edited by *Mr. Luzac*, Mr. Adams availed himself, to throw before the people of Holland the information he wished to convey.

Mr. Adams happened to dine in company with *Mr. Kalkoen*, an eminent jurist of Amsterdam. Mr. Kalkoen appeared to be quite ignorant of the affairs of America, but put some shrewd questions to Mr. Adams,

which he answered as well as his imperfect knowledge of the language, in which they conversed, would permit. Mr. Kalkoen was much gratified, and before they parted, it was agreed that he should send Mr. Adams a set of queries, which he would answer in writing.

This produced a series of twenty-six letters from Mr. Adams to Mr. Kalkoen, in October, 1780, containing an account of the rise and progress of the dispute with great Britain; and of the resources, spirit, and prospects of the United States.

These were published; and Mr. Kalkoen himself published some essays, drawing a comparison between the effort then making by the United States, and that, formerly made by the seven United Provinces, which enventuated in their Independence: and contended, that as it was a miracle that the latter succeeded, it would be a still greater miracle if the former should *not*.

These writings had a wonderful effect upon the people of Holland; and the American cause soon became popular. The accession of Holland to the armed neutrality on the 27th of November, 1780, and the discovery of the negociation between Mr. Lee and Mr. Van Berckel the pensionary of Amsterdam, for a treaty of amity and commerce, (which was nobly avowed by Mr. Van Berckel and justified by the city of Amsterdam, although disavowed by the states general) produced a rupture between England and Holland, on the 21st of December, 1780.

Mr. Adams was indefatigable in collecting and diffusing correct information; in counteracting the intrigues of the British and French courts; in communicating important information to Congress; and in encouraging and stimulating his countrymen to persevere in the glorious cause. He saw, with regret, a disposition in America to lean too much upon France; and, in every movement of France, a desire to increase that dependence. His endeavors to render his country less dependent on that power, drew upon him the displeasure of the French court, and increased their disposition to render his mission abortive, that he might become unpopular at home.

In all his correspondence, he urged upon his countrymen the necessity of relying more on their own rescources

&c.

and strength, and less upon foreign aid, that they might become independent in fact, as well as in name.

In a letter to Dr. Franklin, of the 17th of August, 1780, he says: "It is to be hoped, that our countrymen, instead of amusing themselves any longer with pleasing dreams, will bend the whole force of their minds to augment *a navy;* to find out their *own* strength and resources, *and to depend on themselves.*"

On the 23d, in a letter to congress, he says: "If she (America) were to be deserted by all the world, she ought seriously to maintain her resolution to be free. *She has the means within herself. Her greatest misfortune is, that she has never yet felt her full strength, nor considered the extent of her resources.*"

In a letter to Dr. Franklin, on the 14th of October, 1780, he says: "We may, *and we shall,* wade through, even if we cannot obtain a loan." "The genuine system of American policy is—peace and commerce with all nations—alliances with none."

In a letter to Mr. Jennings, of the 27th of October, 1780, he says: "Reconciliation and peace are but dreams of philanthropy. Let us think of them no more; *but prepare to grow up in the midst of war.*"

And, in a letter to Mr. Cerisier, of 17th November, 1780, he says: "The final Independence of America is as certain as a decree of the destinies."

It was thus that he scattered round him the consolations of his stout heart, and supported the genuine Independence of his country.

His opinion, even at that early period, was most decidedly in favor of *a navy.* In a letter to Dr. Rush, of 20th September, 1780, speaking of privateering, he says: "This and trade are the only way to lay the foundation of a navy; which alone can afford a solid protection to every part of our country. If I could have my will, there should not be the least obstruction to navigation, commerce, or privateering; because I firmly believe, that *one* sailor will do us more good than *two* soldiers.

And, in a letter to congress, on the 14th of October, 1780, he says: "*A navy is our natural and only defence.*"

Late in February, 1781, he received commissions to

form a treaty of amity and commerce with the states general; and to accede to the armed neutrality.

In July, of the same year, he was summoned to Paris, to consult upon the offer of mediation made by the courts of Russia and Austria. He was treated with great coldness by the Count de Vergennes; but the answer which Mr. Adams suggested, was adopted by the French court, and put an end to the negotiation upon that subject; the mediating powers not being willing to acknowledge the Independence of the United States without the consent of Great Britain.

Upon his return to Holland, he was advised by the French minister there, not to display his mission to the states general, or to the stadtholder, as he would not be received.

Contrary to this advice, however, and upon his own responsibility, he communicated to the states general his letters of credence, on the 19th of October, 1781, accompanied by a memorial dated the 19th of April, in which he justified the American Declaration of Independence; asserted the unalterable determination of the United States to maintain it; demonstrated the interest which all Europe, and particularly the states general had in supporting it; and pointed out the political and natural grounds of a commercial connexion between the two republics. The result proved that Mr. Adams's determination was correct. He succeeded beyond his expectations. The memorial was taken by the states general *ad referendum;* the people thought and reasoned upon the matter, and at length demanded an immediate connexion with the United States, as an indemnification for the losses resulting, or apprehended, from the hostilities of Great Britain, and the rivalship of neighbouring nations. Mr. Adams availed himself of this disposition of the people, and, on the 9th of January, 1782, presented his ulterior address referring to that of the 19th of April, 1781, and demanding a categorical answer. The several provinces took the matter into immediate consideration, and instructed their respective deputies in the states general to concur in the admission of Mr. Adams as minister plenipotentiary. This was done by a resolution of the 19th of April, 1782, and on the 22d, he was received in

due form. This event was one of the most important which occurred during the Revolutionary war, and mainly contributed to the acceleration of peace. During his residence in Holland, Mr. Adams obtained several very important loans, which assisted most materially to relieve the United States from their embarrassments, and, (which was quite as important) tended to diminish their dependence upon France.

On the 8th of October, 1782, he concluded and signed a treaty of amity and commerce with the States General.

On the 16th of August, 1781, a commission was issued to Mr. Adams to negotiate a treaty of alliance with Holland; but he was so averse to alliances, and the hopes of peace having brightened, he thought it most prudent not to open the negotiation upon that subject.

He remained in Holland, and refused to go to Paris to enter upon the negotiation for peace until he should be well assured that Great Britain would explicitly acknowledge the Independence of the United States. That assurance was given; and he repaired to Paris in October, 1782, where he met Dr. Franklin, and Mr. Jay, and Mr. Laurens also, who had been liberated from the tower of London, that he might be present at the negotiation.

By their instructions of the 15th of June, 1781, they were required "to accede to no treaty of peace which should not, first, effectually *secure* the independence and sovereignty of the thirteen states, according to the form and effect of the treaties subsisting between the said states and his most christian majesty; and second, in which the said treaties should not be left in their full force and validity."

They were "to make the most candid and confidential communications, upon all subjects, to the ministers of our generous ally, the king of France; and to *undertake nothing*, in the negotiations for peace, *without their knowledge and concurrence;* AND ULTIMATELY TO GOVERN THEMSELVES BY THEIR ADVICE AND OPINION."

Every thing, but our Independence of Great Britain, was thus surrendered to France, who had power to barter away all our other claims and rights to promote her own interests in the negotiation.

Thus shackled and embarrassed by their instructions, our ministers had a most difficult and delicate part to perform, in order to counteract the intrigues of the other belligerents. It will be for the future biographers of those ministers to explain the particular course which was pursued by each; but the result was, that they boldly, upon their own responsibility, and relying upon the proud and independent spirit of their countrymen, resolved to throw off their shackles, and, in violation of their instructions, to act for themselves, and for their country. From the whole course of Mr. Adams's life, nothing less could have been expected from *him;* and there can be no doubt that the same ardent spirit of patriotism which, in July, 1776, contributed so much to the unanimous Declaration of the Independence of the United States, burst forth again to sustain their honor.

By the instructions first given to Mr. Adams, when he was appointed sole minister plenipotentiary to negotiate for peace, in 1779, Congress say to him, "In all other matters, not abovementioned, you are to govern yourself by the alliance between his most Christian majesty and these states; by the advice of our allies; *by your knowledge of our interests; and by* YOUR OWN DISCRETION, *in which we repose the fullest confidence.*"

Comparing their present instructions with those of 1779, and probably having received information that, on the 8th of June, 1781, congress had agreed to fresh instructions to Mr. Adams, in contemplation of the offered mediation of Russia and Austria, in which they say, "you will therefore use *your own judgment* and prudence in securing the interest of the United States in such manner as circumstances may direct, and the state of the belligerent, and the disposition of the mediating powers, may require." That, on the 9th of June, they refused, by a vote of six states to four, to join any persons with Mr. Adams in the negotiation; that, on the 10th, those fresh instructions were communicated confidentially to the French minister at Philadelphia; that, on the 11th, the committee who had conferred with that minister, reported such amendments as resulted in the complete transfer of all discretion from the *American* minister who was to negotiate for peace, to the *French* minister; that, on the

same day, the vote refusing to join any persons with Mr. Adams, was reconsidered, and a resolution passed that two persons be joined with him in the negotiation; that, on the 13th, Mr. Jay was elected as one of those two persons, and the election of the other postponed to the next day—when, it being understood that Mr. Adams and Mr. Jay were not great favorites at the court of France, congress resolved to add two more to the commission, making five in all, so as to take the chance of obtaining a majority who would overrule Mr. Jay and Mr. Adams; whereupon, Dr. Franklin, Mr. Laurens, and Mr. Jefferson were elected; that congress, on the 29th, refused to instruct Mr. Adams, who still remained sole minister for negotiating a treaty of commerce with Great Britain, that he should insist on the fisheries, and the other objects included in their *ultimatum* as it stood before the late instructions of the 15th of June; and that, on the 12th of July, the commission and instructions to Mr. Adams for negotiating a treaty of commerce with Great Britain were revoked.—Combining all these circumstances, our ministers could not help concluding, that the French minister at Philadelphia had acquired a degree of influence over congress inconsistent with the interests and honor of the United States; and that their instructions did not truly represent the feelings and the spirit of the people. They feared that the French ministers were disposed to make an improper use of the confidence thus placed in them by congress; and that, in respect to the questions of the boundaries, the fisheries, and the Mississippi, they could not safely rely upon the good faith of France. They determined, therefore, to take those subjects into their own hands, and make their own terms with Great Britain, without consulting the ministers of a supposed treacherous ally. And for no act of their eventful lives, do they deserve higher honor from their country.

It is to their firmness alone that the United States are indebted for the extent to which those objects were secured by the treaty.

The count de Vergennes complained pretty sharply to Dr. Franklin of this *finesse*, but the consciousness that his own views had been discovered, probably, prevented

the count from making it the ground of any serious complaint to our government.

The preliminary articles of peace were signed on the 30th of November, 1782, and ratified by congress on the 15th of April, 1783. The definitive treaty was signed on the 3d of September, 1783, and finally ratified on the 14th of January, 1784.

On the first of May, 1783, Mr. Adams, Dr. Franklin, and Mr. Jay, were appointed ministers plenipotentiary to negotiate a treaty of amity and commerce with Great Britain; but as she was not then disposed to treat on that subject, no treaty was ever made under this commission.

On the 7th of May, 1784, a commission was ordered to Mr. Adams, Dr. Franklin, and Mr. Jefferson, to negotiate treaties of commerce with foreign powers. Instructions had been previously drawn up by a committee, of whom Mr. Jefferson was chairman, which were remarkable for their liberality and for their tendency to mitigate, as much as possible, the evils of war to the individuals of belligerent nations, as well as to protect the rights of neutrals. Under this commission, which was limited to two years, our first treaty with Prussia was concluded, in the year 1785, in which, for the first time, perhaps, in the annals of diplomacy, an article was introduced, by which they agree not to authorize privateering against each other, in case a war should arise between them, and that private property, and private persons, whose occupations are for the common subsistence and benefit of mankind, should not be molested.

On the 24th of February, 1785, Mr. Adams was appointed resident minister plenipotentiary to the court of Great Britain. The subjects of negotiation between that court and the United States, were the mutual infractions of the treaty of peace, by the non-delivery of the ports occupied by the British; and by the legal impediments in the United States to the recovery of British debts. As congress had no power to coerce the individual states to remove those impediments, the negotiation was protracted, and the sources of irritation continued until the treaty of 1794.

By a regulation of congress of the 18th of February, 1785, the commissions of ministers plenipotentiary were limited to three years, so that Mr. Adams's would expire on the 24th of February, 1788.

On the 24th of January, 1787, Mr. Adams requested leave to return after the expiration of the term limited in his commission; which leave was granted on the 5th of October, in the same year; and, on that occasion, congress passed the following resolution:

"*Resolved*, That congress entertain a high sense of the services which Mr. Adams has rendered to the United States, in the execution of the various important trusts which they have from time to time committed to him; and that the thanks of congress be presented to him for the patriotism, perseverance, and integrity, with which he has ably and faithfully served his country."

His letters of recall were ordered by congress on the 12th of February, 1788.

On his return to his country, he was immediately chosen the first vice-president of the United States under the new Constitution; and by virtue of that office, became president of the Senate, over whose deliberations he presided with dignity and impartiality.

Having been elected again in 1793, he continued in that office until the 4th of March, 1797, when, upon general Washington's declining a re-election, he was chosen to the office of President of the United States.

During the whole of general Washington's administration, Mr. Adams enjoyed his entire confidence, and was as often consulted by him upon the most important questions, as any member of the cabinet. General Washington's administration had his most cordial support.

In the year 1794, Mr. Madison introduced into the House of Representatives of the United States, his celebrated commercial regulations, pointed at Great Britain, and calculated to coerce her to comply with the unexecuted articles of the treaty of peace; to open to us her colonial trade, and to respect our neutral rights. During the irritating discussion of these resolutions, information was received that captures of American vessels, by British cruisers, were made to an unprecedented extent; and that, on the 6th of November, 1793, additional instruc-

tions had been issued, requiring them to bring in for legal adjudication, in the British courts of admiralty, all vessels laden with the produce of, or carrying provisions or other supplies to a French colony. This information produced a general expectation of war, and preparations were made to meet it. An embargo was laid; and resolutions were introduced for selecting a body of 80,000 militia; for raising a provisional army; for fortifying the military posts and harbours, and for raising a corps of engineers.

Before these steps had been taken, it was ascertained that there was a majority in the House of Representatives, in favour of Mr. Madison's resolutions. Mr. Dayton now moved for a sequestration of British debts; and Mr. Clarke introduced a resolution to prohibit all intercourse with Great Britain. Before any decision on those propositions, despatches were received from Mr. Pinckney the American minister at London, indicating a more conciliatory disposition on the part of the British government, who had revoked the instructions of the 6th of November, and substituted others of the 8th of January, of a less offensive character, and had intimated that even those were temporary and calculated only to meet a particular emergency.

Believing, from this information, that war was not inevitable, and that it was not inconsistent with the honor of the United States to make one more effort to maintain their neutrality, the president, on the 16th of April, 1794, nominated Mr. Jay, as envoy extraordinary to the court of Great Britain.

In this state of things, Mr. Clarke's resolution, prohibiting all intercourse with that country was adopted by the House of Representatives on the 18th of April; and a bill founded thereon was sent to the Senate. Upon this bill the senators were equally divided.

Mr. Adams felt the full weight of the responsibility thus thrown upon him. In the early stages of the Revolution he had witnessed the total inefficacy of such measures to control the political policy of Great Britain. He had concurred in adopting them at that time, rather with a view to unite the people, and to evince their patriotic spirit, than with the hope that they would compel

Great Britain to recede from the ground she had taken. He had, then, no faith in them; but had agreed with his friends Hawley of Massachusetts, and Henry of Virginia, that, "*after all we must fight.*" He thought that the present bill would have no good effect on the policy of Great Britain; that it would injure *us* as much as *her*; that it would embarrass the proposed negotiation; and would probably lead directly to war.

This bill was rejected by his casting vote; and the country, for that time, saved from plunging into a war; which, in the then state of parties, would probably have thrown us again into the arms of France—of Revolutionary France.

The two parties in the Senate were nearly balanced; and Mr. Adams was often obliged to decide questions of the highest importance, and upon which party feeling had been deeply excited.

Such was the question upon the bill, "in addition to the act for punishing certain crimes against the United States;"—a bill intended to restrain the inhabitants of the United States from acts inconsistent with the duties of neutrality. This bill was passed by the casting vote of the Vice-President.

It having been ascertained, inofficially, that Mr. Adams had received the votes of a majority of the electors for the office of President of the United States, as the successor of the illustrious Washington, who had declined a re-election, he retired from the Senate on the 15th of February, 1797; and, upon that occasion observed: "It is a recollection of which nothing can ever deprive me, and it will be a source of comfort to me through the remainder of my life, that as, on the one hand, in a government constituted like ours, I have, for eight years, held the second situation under the Constitution of the United States in perfect and uninterrupted harmony with the first, without envy in the one, or jealousy in the other; so, on the other hand, I have never had the smallest misunderstanding with any member of the Senate."

The respectful answer of the Senate, on the 22d, bears testimony to his abilities and undeviating impartiality.

The events of Mr. Adams's administration are, perhaps, yet too recent to permit us to trust to our own judgment

upon them; and they are too fresh in our recollection to need recapitulation.

Considering the exasperated state of parties at that time, it may be some praise to say, that it was not wholly satisfactory to the leaders of either. Mr. Adams has himself said that he was never the favorite of the leaders of that which brought him into office.

He was not a man to be led or driven. He was as independent as he wished his country to be. He never would go the whole length with the party; yet all their sins have been laid upon his head.

The most important events in his administration were those connected with our relations to France; and with the foundation of a navy.

From the time of the proclamation of neutrality, France had been using her utmost efforts to force the government from its neutral ground, and to drive the nation into a war with England: and she had almost succeeded when her hopes were nearly blasted by the treaty of 1794.—Fretted by this disappointment, she authorized almost unlimited depredations on our commerce.

General Pinkney had been, by President Washington, appointed successor to Col. Munroe, as minister plenipotentiary to France; but the executive directory refused to receive him—treated him with indignity—and ordered him to quit the territory of the Republic—announcing their determination not to receive another minister from the United States until after the redress of grievances demanded of the American government.—Upon giving Mr. Monroe his audience of leave, the president of the directory addressed to him a speech, "in which terms of outrage to the government of the United States were mingled with expressions of affection for the people;"* and in which he intimated an expectation that the directory could rule the former by their influence over the latter.

This state of things, together with the increased depredations on our commerce, induced Mr. Adams to call a meeting of congress, on the 15th of May, 1797.

* Marshall's Washington.

In his speech, alluding to the attempt of France to separate the people of the United States from their government, he says: "Such attempts ought to be repelled with a decision that shall convince France, and all the world, that we are not a degraded people; humiliated under a colonial spirit of fear, and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest."

Believing, however, that neither the honor nor the interest of the United States absolutely forbade the repetition of advances for the preservation of peace, he determined to institute a fresh attempt at negotiation.

"It is impossible," said he, at the close of his speech, "to conceal from ourselves, or the world, what has been before observed, that endeavors have been employed to foster and establish a division between the government and people of the United States. To investigate the causes which have encouraged the attempt, is not necessary. But to repel, by decided and united counsels insinuations so derogatory to the honor, and aggressions so dangerous to the constitution, union, and even independence of the nation, is an indispensible duty.

"It must not be permitted to be doubted, whether the people of the United States will support the government established by their voluntary consent, and appointed by their free choice; or, whether, by surrendering themselves to the direction of foreign and domestic factions, in opposition to their own government, they will forfeit the honorable station they have hitherto maintained.

"For myself, having never been indifferent to what concerned the interests of my country; devoted the best part of my life to obtain and support its Independence; and constantly witnessed the patriotism, fidelity, and perseverance of my fellow-citizens on the most trying occasions; it is not for me to hesitate, or to abandon a cause in which my heart has been so long engaged."

The independent spirit which animated this speech, found sympathetic spirits in every part of the Union; and energetic measures of defence were adopted.

In compliance with the intimation given in his speech, the president appointed general Pinkney, of South-Carolina, general Marshall, of Virginia, (now the venerable

chief justice of the United States,) and Mr. Gerry, of Massachusetts, envoys extraordinary to the court of France.

In the spring of 1798, despatches were received, which announced the total failure of the mission, and described the accumulated indignities which were endured by our ministers with a patience and forbearance which could only be justified by their sincere desire to effect the object of their mission, and to unite their countrymen in a manly and patriotic support of their own government.

France demanded money as the price of negotiation.

These despatches, which were laid before congress, and ordered to be published, excited a warm and extensive indignation; and in every part of the country the sentiment was re-echoed—"MILLIONS FOR DEFENCE; BUT NOT A CENT FOR TRIBUTE."

"Addresses to the executive from every part of the United States, attested the high spirit of the nation; and the answers of the president were well calculated to give it solidity and duration."*

Vigorous measures, not only of defence, but of retaliation, were adopted by congress; and general Washington condescended to accept the office of lieutenant general of the armies of the United States.

Six frigates, eighteen sloops of war, and ten gallies were authorized to be built or purchased; and the department of the navy was established. Acts were passed for augmenting the regular army; for raising a provisional army; for suspending the commercial intercourse with France; for seizing French armed vessels; and for declaring the treaties with France no longer obligatory. These measures were followed by actual hostilities at sea; and the capture of several French armed vessels.

In his speech, at the opening of the congress, in December, 1798, the president said: "To the usual subjects of gratitude, I cannot omit to add one, of the first importance to our well-being and safety: I mean that spirit which has arisen in our country against the menaces and aggressions of a foreign nation. A manly sense of national honor, dignity and independence, has appeared,

* Marshall's Washington.

which, if encouraged and invigorated by every branch of the government, will enable us to view, undismayed, the enterprizes of any foreign power, and become the sure foundation of national prosperity and glory."

"But, in demonstrating, by our conduct, that we do not fear war, in the necessary protection of our rights and honor, we shall give no room to infer that we shall abandon the desire of peace. An efficient preparation for war can alone ensure peace. It is peace that we have uniformly and perseveringly cultivated; and harmony, between us and France, may be restored at her option. But to send another minister, without more determined assurances that he would be received, would be an act of humiliation, to which the United States ought not to submit. It must, therefore, be left to France, if she is, indeed, desirous of accommodation, to take the requisite steps."

Those "more determined assurances" were received from the French minister of foreign relations through Mr. Murray, the minister of the United States at the Hague; and the president, anxious to seize upon any honorable means of restoring harmony with our ancient ally, again sent three envoys extraordinary to the French republic; who were received, and happily effected an amicable adjustment of the differences between the two countries.

The spirit and prudence with which this quarrel was managed, were not less honorable to the citizens of the United States than to the administration.

Mr. Adams has, with justice, been called the founder of the navy of the United States.

That the capacity of this country to become a great naval power, was a subject of his youthful contemplations, is evident, in his letter from Worcester, in October, 1755; and that he deemed it to be the natural and surest defence against foreign power, appears in all his correspondence with his friends, and with congress, through the whole course of the Revolution; and by his speeches and messages to congress during his administration.

At the commencement of the present government, the United States had not a single ship of war;—not a gun afloat that could protect our commerce.

Although our merchant vessels were found in every sea, and exposed to continual vexation and plunder, yet, so unpopular was the idea of a navy, in certain parts of the country, that it was not until December, 1796, that president Washington ventured, expressly, to name the subject.

A small naval armament had been authorized by the act of the 27th of March, 1794, for the protection of our trade against Algerine corsairs. It was to consist of not more than six frigates; and, if peace with Algiers should take place, no further proceeding was to be had under that act.

The building of three of the frigates was commenced, but before they were finished, peace was made with Algiers.

By the act of 20th of April, 1796, the three frigates were ordered to be completed, but at the commencement of Mr. Adams's administration, we were still without a ship of war in commission.

In his first speech to congress, at the special session in May, 1797, the president recommended, in strong terms, the protection of commerce by a naval force.

In pursuance of this recommendation, the president was authorized by the act of 1st July, 1797, to cause the three frigates, "*The United States*," "*The Constitution*," and "*The Constellation*," to be manned and employed, and the strength of the revenue cutters to be increased.

But the jealousy of even this small naval force was so great, that the period of service of the seamen and marines, was limited to one year; and the president was authorized to discharge them sooner, if, in his judgment, their services might sooner be dispensed with; and the act itself was to continue one year, and to the end of the next session thereafter, and no longer.

At the opening of the next session of congress, in December, 1797, the president again recommended the protection of commerce in general terms. The event of the mission to the French republic, was not then known; the envoys having but just arrived in Europe. Before the close of the session, however, information of its total failure was received; and, by various acts, a naval armament

was authorized, consisting of twenty-four ships of war, of which six were to be frigates, to rate not less than thirty-two guns each; twelve, not less than twenty, nor more than twenty-four guns each; and six, not exceeding eighteen guns each. At this session, also, the department of the navy, and the marine corps, were established and organized.

This was a great effort for a single session, and probably would not have been made but for the peculiar excitement of the moment produced by the conduct of France. It, however, afforded the nation an opportunity of witnessing an experiment upon a point of national policy, in regard to which there existed a vast difference of opinion.

At the opening of the next session, (Dec. 1798,) the president said: "The beneficial effects of the small naval armanent provided under the acts of the last session, are known and acknowledged. Perhaps no country ever experienced more sudden and remarkable advantages from any measure of policy than we have derived from the arming for our maritime protection and defence."

On the 25th of February, 1799, an act was passed for the augmentation of the navy by an additional force of six 74's, and six 18 gun sloops of war. Other acts were passed for the construction of docks and for the purchase of timber, and the appropriations of this session, for naval purposes, exceeded three millions of dollars.

In his speech, at the opening of congress, in November, 1800, the president again presented the navy to their consideration, and observed, that, "The present navy of the United States, called suddenly into existence, by a great national emergency, has raised us in our own esteem; and by the protection afforded to our commerce, has effected, to the extent of our expectations, the objects for which it was created."

And the House of Representatives in their answer say: "At this period it is confidently believed that few persons can be found within the United States, who do not admit, that a navy, well organized, must constitute the natural and efficient defence of this country against all foreign hostility. The mind must, in our opinion, be insensible to the plainest truths, which cannot discern the elevated ground on which this policy has placed our country.

"The national spirit which alone could vindicate our common rights, has been roused, and those latent energies, which had not been fully known, were unfolded and brought into view, and our fellow-citizens were prepared to meet every event which national honour or national security could render necessary. Nor have its effects been less important in other respects. Whilst many of the nations of the earth have been impoverished and depopulated by internal commotions, and national contests, our internal peace has not been materially impaired; our commerce has extended, under the protection of our infant navy, to every part of the globe; wealth has flowed, without intermission, into our seaports; and the labors of the husbandman have been rewarded by a ready market for the productions of the soil."

On the 3d of March, 1801, the controversy with France having been amicably settled, the president was authorized to cause to be sold all the ships belonging to the navy, excepting thirteen frigates; seven of which were to be laid up, and six kept in constant service. This was the last act of Mr. Adams's administration in regard to the navy.

He had taught his country the important truth, that she could create and maintain a respectable naval force; that she was able to protect her commerce: and that the increase of revenue, arising from the protected commerce, would more than pay for its protection; besides enabling the nation to respect itself and to cause itself to be respected.

As the close of Mr. Adams's term of office approached, it was natural that the attention of the public should be turned with anxiety towards the new election.

His administration, as has been before observed, had not satisfied the leaders of either of the two parties into which the nation was divided. For the republicans, his measures were too strong; for the federalists, too weak. It has been before stated, that he never was a favorite of the leaders of the federal party, but as they could not find another who could unite so many federal votes in his favor, they determined to push him again as their candidate for the new election. This want of cordiality pervaded even the cabinet; and, with so deservedly popular an op-

ponent as Mr. Jefferson, it is not wonderful that Mr. Adams was not re-elected.

But we have nothing now to do with the intrigues of party. The question for posterity will be, what was the character of the man, and of his measures?

Considering him as not being the leader of the federal party, it does not seem just to charge him with acts which he did not recommend. For, although he had a qualified negative, which he might have applied to such acts, yet, unless he should deem them to be unconstitutional, or clearly and decidedly inexpedient, it could hardly be expected that he would so apply it. This might, possibly, have been the case with the acts commonly called "the alien and sedition laws." They were passed in 1799, during a season of strong excitement, while a serious insurrection existed in Pennsylvania, in opposition to the government; while the country was filled with aliens, who were impudently endeavoring to drive the nation from its neutral ground, and when it was supposed that the country was upon the eve of a war with France. These acts being limited to two years, were suffered to expire; and, however unpopular, impolitic, or exceptionable they might have been, they will not, in the eye of an impartial statesman, materially affect the general character of Mr. Adams's administration; and cannot deprive it of the credit of having firmly maintained the course of policy marked out by Washington;—of having placed the country in a dignified attitude of defence;—of having successfully counteracted the insidious policy of France;—of having enabled the United States justly to estimate their own resources;—to feel their own strength;—to demonstrate the proposition, that the cheapest, the safest, and the most effectual, defence of this country is a navy; and of having elevated the character of the nation in its own esteem, and in that of the world.

That this was the true policy of the nation, is demonstrated by the fact, that successive administrations, after making the unavailing experiment of commercial restrictions and non-intercourse, and continued embargoes, and all the other measures of the *hybernating* system, in which the nation reposed in a state of torpor, chilling all its energies, and stopping the circulation of its vital fluid; were,

at last, obliged to resort to war, with a ruined revenue, and an empty treasury; and that the most brilliant feats of that war were achieved by that navy, the foundation of which was so ardently opposed during the administration of Mr. Adams.

Upon the whole, then, we may say of that administration, that its most important and leading measures, have been unequivocally approved by the voice of the nation; and that he maintained, with vigor, its best interests, and its honor.

In regard to Mr. Adams's opinions respecting the best form of government, or, in other words, the best political constitution of a state, different judgments have been formed.

It has been contended, that, in an elective government, if the elections be free and frequent, checks and balances are unnecessary clogs upon the popular will, and that popular elections are a sufficient remedy for every evil.

When the people of the colonies resolved on Independence, the wisest among them were more anxious in regard to the political condition of the country after that object should be obtained, than to the issue of the sharp conflict by which it was to be achieved.

The origin, foundation, and principles, of government, attracted the attention of Mr. Adams in very early life, as is evident in the extracts which have already been given from his Essay on Canon and Feudal Law, published in 1765, before he was thirty years of age.*

Mr. Adams early adopted the idea, that it was necessary, for the stability of a popular government, that the three great powers, the *executive*, the *legislative*, and the *judicial*, should be separated from each other, and that each should be independent of the other two; that the legislature should be divided into two houses, each having a negative upon the other; and that the executive should have a protecting *veto* against both. This he deemed to be the theory and spirit of the English Constitution, and he thought he saw in it all that was necessary to the perfection of government. He did not, however, deem it essential that the executive, or either branch of the legisla-

* See Note 10, at the end.

ture should be hereditary. He was always of opinion that the government which was most popular, consistently with its stability, was the best.

The earliest evidence we have of his idea of a constitution of government, for one of these states, is contained in a letter written by him to Mr. Richard Henry Lee, and at his request, in consequence of a conversation between them, on the preceding evening, at Philadelphia. It is dated on the 15th of November, 1775. In this letter, he says: "a legislative, an executive, and a judicial power, comprehend the whole of what is meant and understood by government. It is by balancing each of these powers against the other two, that the effort of human nature towards tyranny can alone be checked and restrained, and any degree of freedom preserved in the Constitution."

He then proposes that the people should elect a house of commons, who should choose a governor and council annually, triennially, or septennially;—or, if it should be preferred, they might be chosen by the people.

That the governor, council, and house, should be each a distinct and independent branch of the legislature, with a negative upon all laws:

That the lieutenant governor, secretary, treasurer, commissary, attorney general, and solicitor general, should be chosen annually by joint ballot of both houses:

That the other officers and magistrates, civil and military, should be nominated and appointed by the governor, with the advice and consent of the council:

That the governor should have the command of the army, militia, &c.

That the judges, at least of the supreme court, should hold their offices during good behaviour; have salaries ascertained and established by law; and should be incapable of holding any share of the legislative or executive power.

"In adopting a plan, in some respects similar to this," he says, "human nature would appear in its proper glory, asserting its own real dignity, pulling down tyrannies at a single exertion, and erecting such new fabrics as it thinks best calculated to promote its happiness."*

* See Note 9, at the end.

Early in the year 1776, when Virginia was about to form a constitution, Mr. Adams, it is said, communicated his thoughts, more fully, upon the subject of government, in a letter to Mr. Wythe, of Virginia, and gave his reasons more at large for advising a division of the legislature into two houses, each having a negative upon the other. That letter was supposed to have had considerable effect upon the formation of the constitution of Virginia; and a copy of it is also said to have been procured by Mr. Jay and used with considerable effect in the construction of that of New York.*

It is probable that those letters contributed largely towards the introduction, into the several constitutions of the other states, of the principle of the division of the legislative power into two independent branches; a principle which has always been unpopular with a considerable part of the community; but which has been found by experience to be absolutely necessary to the permanency of a popular government.

Often as the experiment has been tried, no single democratic assembly has ever been able to maintain its existence, and preserve the liberties of the people for any length of time. Pennsylvania tried it—Georgia tried it—England tried it—France tried it—Spain tried it—some of the Spanish American states have tried it—many other states have tried it, and, in every instance, the experiment has failed.

A principle that would enable mankind to reduce to practice the theory of a republican government, was wanting. Mr Adams, if he did not discover it, taught the friends of freedom how to apply it; and demonstrated, in the most philosophical manner, by the history of experiments actually made, that liberty can only be preserved, by a balanced legislature, and by the separation and independence of the three great powers of government.

If Mr. Adams had done nothing more than this, he would have conferred a benefit upon the world for which millions might bless his name.

Next to the Independence of his country, the object most dear to his heart was the successful establishment of permanent republican governments, raised upon the only

* See Note 11, at the end.

solid and legitimate basis, the will and happiness of the people. To accomplish this object, he deemed it necessary to establish his principle by the history of actual experiments. He found that, although it was inserted in most, if not all, of the American constitutions, yet its necessity was not universally acknowledged. Many doubted its propriety and its use; and the philosophers and politicians of Europe had asserted, that it had been adopted in America, merely because the legislative power happened to be so divided in England. Mr. Turgot had stated, that, by most of the American states, "The customs of England had been imitated without any particular motive. That, instead of collecting all authority into one centre, that of the nation, they had established different bodies—a house of representatives, a council, and a governor, because there is, in England, a house of commons, a house of lords, and a king. That they endeavored to balance these different powers, as if this equilibrium, which, in England, may be necessary to check the enormous influence of royalty, could be of any use in republics founded upon the equality of all the citizens; and, as if establishing different orders of men was not a source of divisions and disputes."

There had also been, from the beginning of the Revolution, a party, in every state, who had entertained similar opinions. In Massachusetts, immediately preceding the insurrection of Shays, in 1786, county committees had been chosen, and other conventions proposed, with the express purpose of deposing the governor and senate, as useless and expensive branches of the constitution.

As Mr. Adams had been mainly instrumental in causing those checks and balances to be introduced into the state governments of America, he deemed it incumbent on him to satisfy the world, and particularly his own countrymen, that they were not so introduced, without a sufficient motive, nor merely in blind imitation of the English constitution; but that the principle was founded on the nature of man. He knew it was easy for a man of strong imagination, to form a beautiful and captivating theory of government, and to support it with very plausible arguments, *a priori;* and that it might be difficult, if not impossible, to demonstrate its fallacy, but by actual

experiment. He determined, therefore, that his own should be founded upon the only sure ground of useful knowledge, experience.

As he could not, like a chemist, sit in his laboratory, and make experiments upon nations, which it would take ages to perform; he was obliged to resort to the history of experiments already made. He was then residing in London, as minister from the United States, and had access to historical writers little read or known in America. He engaged with ardor in the work. The occasion was urgent. The constitution of his native state was formidably attacked. The confederation of the states, being a revolutionary instrument, had scarcely the powers or form of a government, and was almost *functus officio*. To be useful, it behoved him to be expeditious. He therefore took a rapid view of the forms of government and revolutions of the principal republics which have existed in the world; and with great force of argument demonstrated that whatever of liberty and permanency they enjoyed depended upon the balance of their powers. This was done in a series of letters, published as rapidly as they were written, under the title of "*A defence of the constitutions of government of the United States of America against the attack of M. Turgot in his letter to Dr. Price, dated the 22d of March*, 1778," with the appropriate motto, "*All nature's difference keeps all nature's peace.*" They are contained in three volumes, and were written and published within the fifteen months next preceding the 3d of December, 1787.

In these volumes he not only examined the constitutions and political revolutions of the principal republics which have existed, but reviewed the writings and opinions of the most celebrated historians, philosophers, and statesmen, both ancient and modern.

The whole of his doctrine upon the subject of government, seems to be embodied in the following extract from his conclusion of the first volume:

"By the authorities and examples, already cited, you will be convinced that three branches of power have an unalterable foundation in nature; that they exist in every society, natural and artificial; and that if all of them are not acknowledged in any constitution of government, it

will be found to be imperfect, unstable, and soon enslaved: that the legislative and executive authorities are naturally distinct; and that liberty and the laws depend entirely upon a separation of them in the frame of government: that the legislative power is naturally and necessarily sovereign and supreme over the executive; and therefore that the latter must be made an essential branch of the former, even with a negative, or it will not be able to defend itself, but will soon be invaded, undermined, attacked, or in some other way, totally ruined and annihilated by the former."

"All nations, under all governments, must have parties. The great secret is to control them. There are but two ways: either by a monarchy and a standing army, or by a balance in the constitution. Where the people have a voice and there is no balance, there will be everlasting fluctuations, revolutions and horrors, until a standing army, with a general at its head, commands the peace, or the necessity of an equilibrium is made to appear to all, and is adopted by all."

These letters, although thus hastily written, contain such a mass of political information brought to bear upon the principle which it was adduced to support, as has seldom been collected: and it will be a difficult task indeed to refute the argument which has been drawn from it. He has assembled together the opinions and reasonings of philosophers, politicians, and historians, who have taken the most extensive views of men and societies; whose characters are deservedly revered; and whose writings were in the contemplation of those who framed the American constitutions. This work, in the rage of that party spirit, which sought to snatch political power from the hands of its author, suffered in the conflict. It was, with a political view, attacked with every sort of weapon, and for a time, at least, it became unpopular. Indeed, the principle which it inculcated, as has been before observed, never was universally popular. We could not bear to be told that we were not, in all forms of government, the best keepers of our own liberty: that its preservation depended more upon checks and balances, than upon our own virtue.

But the time will come when it will be resorted to as a reservoir of political wisdom; and posterity will revere the author for the profoundness of his researches; for the boldness with which he proclaimed the truth; and for the perseverance with which he maintained it.

Mr. Adams's opinion of the constitution of the United States, is thus expressed, in his inaugural address, in 1797:

"I first saw the constitution of the United States in a foreign country. Irritated by no altercation, animated by no public debate, heated by no party animosity, I read it with great satisfaction, as a result of good heads, prompted by good hearts; and as an experiment, better adapted to the genius, character, situation, and relation of this nation and country, than any which had ever been proposed or suggested. In its general principles and great outlines it was conformable to such a system of government as I had ever most esteemed, and in some states, my own native state in particular, had contributed to establish."

"It was not then, nor has been since, any objection to it, in my mind, that the executive and senate were not more permanent; nor have I ever entertained a thought of promoting an alteration in it, but such as the people themselves, in the course of their experience, should see and feel to be necessary or expedient, and by their representatives in congress and the legislatures, according to the constitution itself, adopt and ordain."

In the year 1790, while Mr. Adams was vice-president, and in an early stage of the French revolution, while all power was centred in a single national assembly; while all eyes were turned towards that great experiment, and some extravagant notions were gaining ground in this country, he deemed it a proper moment to recall the attention of the public to his great principle of government, the balance of power.

As a subject that might attract the notice of Frenchmen, he chose, as the text of his commentary, *Davila's history of the civil wars in France in the 16th century;* and published a number of papers in the Gazette of the United States, in June and July, 1790, under the title of "Discourses on Davila."

In these papers he pursued the same course of reasoning from facts, which he had adopted in his defence of

the constitutions; and, in one of them, (No. 14. July 17, 1790,) with great accuracy, predicted the fate of the experiment then making in France.*

In 1801, Mr. Adams, for the first time in thirty years, found himself a private citizen, and retired to his farm in Quincy, where he occupied himself with agricultural pursuits, and amused himself with the literature and the politics of the day. The welfare of his country was still near his heart; and he did not, as some may have supposed, condemn, with indiscriminate censure, the measures of succeeding administrations. What he could not approve, with characteristic honesty, he candidly condemned; what he thought right, he, as freely, approved and supported. He was not a friend to commercial restrictions as the means of coercion, although he commended the spirit of resistance with which they were adopted. He thought it better that commerce should be protected than abandoned. But the moment it became a question whether the honor of his country should be supported, he boldly threw his weight into the scale of his country's cause. In comparison with the honor of his country, the petty bickerings of party became, in his eyes, not only contemptible, but wicked. His whole life had been devoted to that cause, and it was not for *him* to hesitate between a local, temporary, popularity, and the great interests of the nation. Nor can it, for a moment, be believed, that he, who, in his most ambitious days, never made a single sacrifice to popularity, should now, for the first time, surrender his opinion, in the pitiful hope of gaining favor for himself, or for any of his family, with the prevailing party. It was not for him, when the ship was in danger, to sit coldly in the cabin, and say he was only a passenger.

His letters in 1809, published in the Boston Patriot, upon the wrongs committed upon our commerce and our seamen, show that the spirit of 1776 was not extinguished; and those upon impressment contain an unanswerable argument upon that subject. His communications to the Boston Patriot, and to some other gazettes, were continued, occasionally, for several years, and elucidated many

* See Note 12, at the end.

important points in the history of the times to which they relate.

In 1817, he was chosen a member of the electoral college which voted for Mr. Monroe as president of the United States.

In 1818, he was called upon to endure the greatest affliction of his long and eventful life—the loss of the bosom friend of his youth—the partner of his joys and sorrows—his confidant and counsellor.

Words cannot do justice to her worth, or express his feelings. Their most intimate friends, who knew how much they leaned on each other, were afraid that Mr. Adams would sink under this heavy affliction. But his heroic spirit sustained the shock with the fortitude of a philosopher, and with the resignation of a Christian.

Mr. Jefferson was one of the first to pour the balm of consolation upon his wounded spirit. In a letter to Mr. Adams, dated Monticello, Nov. 13, 1818, he says:

"The public papers, my dear friend, announce the fatal event, of which your letter, of October 20th, had given me ominous foreboding. Tried myself, in the school of affliction, by the loss of every form of connexion which can rive the human heart, I know well, and feel, what you have lost—what you are suffering—and have yet to endure. The same trials have taught me, that for ills so immeasurable, time and silence are the only medicines. I will not, therefore, by useless condolences, open afresh the sluices of your grief; nor, although mingling, sincerely, my tears with yours, will I say a word more, where words are vain; but that it is some comfort to us both, that the term is not very distant, at which we are to deposit, in the same cerement, our sorrows and suffering bodies; and to ascend, in essence, to an ecstatic meeting with the friends we have loved and lost; and whom we shall still love, and never lose again. God bless you, and support you under your heavy affliction.

"THOMAS JEFFERSON."

What a lesson does this teach to the political opponents of the present day! What a brilliance does it throw upon the characters of those two illustrious patriots!

In 1820, Mr. Adams was chosen a member of the convention to revise that constitution of his native state, which he had, forty years before, so largely contributed to establish; and was, almost unanimously, elected its president. Upon that occasion, the convention, upon the motion of chief justice Parker, passed a resolution, in which, after reciting, in a neat preamble, the principal instances in which his services had been most useful to his country, they expressed their gratitude for those services, and appointed a committee of twelve to inform him of his election to the office of president of the convention.*

This honor he felt himself obliged to decline, on account of his great age and bodily infirmities. He, however, attended the convention, and discharged his duty as a member. He was then eighty-five years old. This was the last of his public services.

Mr. Adams was always remarkable for the punctuality of his correspondence. And, although he had nearly lost his sight, and was unable to use his pen, he continued that punctuality, by dictating to an amanuensis, until a few days before his death. His answer, of the 22d of June, to the invitation from the citizens of Washington, to join with them in celebrating the national jubilee, shows that his mental faculties were still unimpaired. When he delivered his written answer to the committee of his native town, who had given him a similar invitation, he said to them, "I shall not be present in body; but in spirit I shall be with you." On the morning of the jubilee, he awoke at the ringing of the bells, and the firing of cannon. The servant who watched with him, asked him if he knew what day it was? "O yes," he replied, "it is the glorious 4th of July—God bless it—God bless you all."

In the forenoon, the orator of the day, Mr. Whitney, called to see him, and found him seated in a large arm-chair. In the course of the interview, Mr. Whitney asked him for a sentiment, to be delivered at the table. He replied, "I will give you, "INDEPENDENCE FOREVER." After a few moments had elapsed, a lady present asked

* See Note 13, at the end.

him if he wished to add any thing to the toast? and he said, "Not a syllable."

This passed an hour or two only before his dissolution. In the course of the day he said, "It is a great and good day." And that his thoughts were dwelling on the scenes of 1776, is evident, from the last words he uttered, which were, "Jefferson survives." But, alas! at that very moment, the spirit of Jefferson had already flown.

Towards evening, Mr. Adams's strength failed; he gradually sunk away, and his spirit departed before the setting sun, on the 4th of July, 1826, in the 91st year of his age.

There had been a thunder-storm; and the artillery of heaven added sublimity to the scene. At the moment when the spirit of Adams began to ascend, a most splendid and perfect rainbow over-arched his dwelling. It was like the gate of Heaven. One who beheld the scene, says, "It seemed as if all nature gave witness, that no common spirit was travelling the fields of air to its high abode. It rose upon the aspirations of the multitude—shouting, "*Independence forever.*"

Mr. Adams's political character is best pourtrayed by a simple recital of his public life.

That he was ambitious of public honors, must be admitted; for, in a republican government, public honors are the evidence of public approbation. Ambition is criminal only when it seeks the honors without deserving them. No public man ever sacrificed less to popularity than Mr. Adams. No man ever pursued more steadily what he believed to be the best interests of his country.

Mr. Jefferson often said, "There is not, upon earth, a more perfectly honest man than John Adams. Concealment is no part of his character; of that he is utterly incapable; it is not in his nature to meditate any thing that he would not publish to the world. I know him *well*, and I repeat it, that a man more perfectly honest never issued from the hands of his Creator."*

Mr. Adams's private character was unimpeachable and exemplary. In all the domestic relations, he was kind, affectionate, and cheerful. In his friendships he was sin-

* Mr. Wirt's discourse, p. 51.

cere and ardent. In his intercourse with the world, no desire of wealth ever mingled with his motives. Without being rich, he was always independent. His domestic concerns were entirely under the control of Mrs. Adams, whose prudence relieved him altogether from cares of that description, and permitted him to devote his whole time to the service of his country, and to the pursuits of literature.

Mr. Adams was one of the most learned statesmen of his age. There was scarce a subject in polite literature, of which he was not master; and to all literary societies he was a friend and benefactor.

In his religious sentiments, as well as in all others, he was liberal; and in his religious duties, exemplary.

Such was the man, who was an honor to his country; and whose memory his country will delight to honor.

NOTES.

(*See Page* 9.)

NOTE 1.—In 1650, the house of commons, having deposed the king and established its power over England, passed an ordinance, declaring that the colonies "are, and ought to be, dependent on that nation, and subject to such laws and regulations as are, or shall be, made by parliament." *Marshall's History of the Colonies*, p. 66.

In 1696, by the stat. of 7 & 8 *W.* 3. *c.* 22, § 9, it is enacted, "That all laws, by-laws, usages, or customs at this time, or which hereafter shall be, in practice, or endeavored, or intended to be, in force, or practice, in any of the said plantations, which are, in anywise, repugnant to the beforementioned laws, or any of them, *so far as they do relate to the said plantations, or any of them*, or which are, in anyways, repugnant to this present act, or to any other law hereafter to be made in this kingdom, *so far forth as such law shall relate to and mention the said plantations*, are illegal, null, and void, to all intents and purposes whatsoever."

(*See Page* 10.)

NOTE 2.—Although, in 1650, the general court of Massachusetts, in a petition against the authority given to the *council of state*, during the commonwealth, to displace the colonial governors and to appoint others, style the parliament, "THE SUPREME AUTHORITY;" yet, as that parliament had usurped the whole authority of the king, it might be considered as, *de facto*, the *supreme power* over the colonies, by virtue of its assumption of the rights of the crown. And, therefore, such acknowledgment, under such circumstances, cannot be considered as an acknowledgment of the right of parliament to legislate for the colonies in the ordinary exercise of its constitutional powers. Whatever right that parliament had to legislate for the colonies, could only be claimed under the usurped rights of the king.

Again: although, in 1764, the legislature of Massachusetts, in answer to the governor, and referring to a late act of parliament, for granting certain duties in the colonies, say: "We acknowledge it to be our duty to yield obedience to it while it continues unrepealed," and only argue against the *expediency* of the measure, yet, in a letter from the same legislature, addressed to their agent in England, they say: "We have endeavored to avoid giving offence, and have *touched upon our rights* in such a manner as that no inference can be drawn *that we have given them up*, on the one hand, nor that we set up in opposition to the parliament, nor deny that we are bound to the observance of acts of parliament, on the other."

Governor Bernard complimented the legislature upon the *dutiful* manner in which their representations to parliament had been formed; but that *dutiful manner* did not prevent the passing of the stamp-act at the next session of parliament, by a majority of four to one.

And the right of taxation had been frequently denied by the colonies long before that time.

In 1624, after James the first had sent commissioners to Virginia, to inquire into the state of the colony, and after a *quo warranto* had issued to vacate the charter of the company, the colonial assembly passed a number of acts, one of which was equivalent to a bill of rights, and declared, "that the governor should not impose any taxes on the colony, *otherwise than by the authority of the general assembly.*" *Marshall's History of the Colonies*, p. 62, 139. 1 *Holmes's Annals*, 252.

As early as 1634, the general court of Massachusetts passed several resolutions, asserting among other things, "*that none but the general court has*

power to make and establish laws, to elect and appoint officers, as governor, deputy governor, assistants, treasurer, secretary, captains, lieutenants, ensigns, or any of like moment; or to remove such upon misdemeanor; also, to prescribe their duties and powers; *to raise money and taxes*; and to dispose of lands." 1 *Holmes*, 275.

In the following year, (1635,) when it was apprehended that a general governor would be sent out from England, under the special commission to the archbishop of Canterbury, and ten other persons for governing the colonies, the clergymen of the colony of Massachusetts Bay, who were, at that time, considered as the fathers of the commonwealth, were convened at Boston, and consulted by the civil magistrates.

With the same spirit which has always been manifested by the clergy of that state, in favor of civil liberty, and which contributed so largely to the establishment of the Independence of the colonies, they unanimously agreed that if such a governor were sent, the colony *ought not to accept him; but to defend their rights, if able;* "*otherwise to avoid or protract.*" 1 *Holmes*, 279. And see the commission to the archbishop of Canterbury, &c. 1 *Hutchinson's Hist. Mass.* 440. *Appendix, No.* 4.

And again, in 1638, when the king (Car. 1.) required them to surrender their patent, among other reasons why they beg to be excused, they say, in their petition to the lords commissioners for foreign plantations, that "If our patent be taken from us, the common people here will conceive that his majesty hath cast them off, and that thereby they are freed from their allegiance and subjection, *and thereupon will confederate themselves into a new government*, for their necessary safety and subsistence, *which will be of dangerous example to other plantations*, and perilous to ourselves of incurring his majesty's displeasure, which we would by all means avoid." 1 *Hutchinson*, 442. *Appendix, No.* 5. Mr. Hutchinson, in his history, vol. 1, p. 87, supposes from what he knew of "*their notions of civil subjection*," that if they had, at that time, been deprived of their patent, "They would have sought some *vacuum domicilium* in some part of the globe where they would, according to their own apprehensions, *have been free from the control of any European power.*"

These facts show that Independence was in their thoughts, even at that early day.

In January, 1638–9, the inhabitants of three towns on Connecticut river, Windsor, Hartford, and Weathersfield, finding themselves out of the limits of the Massachusetts' patent, formed themselves, by a voluntary compact, into a distinct commonwealth, and adopted a constitution of government, formed upon the solid foundation of the sole authority of the people.

This was independence in fact, although they acknowledged their allegiance to the king of England. This constitution and form of government continued, with very little alteration, nearly to the present time. The first act of that government was a declaration of rights.

In 1641, during the English commonwealth, some friends of the colony in England, advised an application to the parliament, soliciting favors which they thought would be granted; "but," says governor Winthrop, "after consulting about it we declined the motion, for this consideration, that if we should *put ourselves under the protection of parliament*, we must *then be subject to all such laws as they should make, or at least, such as they might impose upon us; in which course, though they should intend our good yet it might prove very prejudicial to us.*"

As an incident leading to independence we ought not to forget the union, in 1643, of the four colonies, Massachusetts, Plymouth, Connecticut, and New Haven, under the title of "*The United Colonies of New England.*" This was a league for their own defence, and managed by commissioners, who had power to declare war and make peace, and to regulate the general concerns of the Union.

All the colonies, before the reign of Charles II. except Maryland, settled a model of government for themselves. 1 *Hutchinson*, 92, *note.* The re-

presentative branch in most, if not in all of them, depended, for its authority, upon the assurances, contained in their charters, that they should enjoy all the rights, liberties, and privileges, of natural born subjects in England. This was the case also in Barbadoes, and the leeward islands. 1 *Hutch.* 92, 93, *note.*

After the restoration, there is no instance of a colony settled without a representation of the people; nor any attempt to deprive the colonies of that privilege, except in the arbitrary reign of James II. 1 *Hutch.* 93. And the king, by his proclamation of 1763, offered the same terms to those who should settle in the countries then recently acquired.

So much attached were the people to this democratic feature in their governments, that although *lord Say and Seale* tempted the principal men of Massachusetts with the offer of making them and their heirs *nobles*, and absolute governors of a new colony, not one could be found to follow him. 1 *Hutch.* 92.

That feature, however, would have had no value in their eyes, if parliament had possessed the right to legislate for them in all cases whatsoever.

In the year 1661, the legislature of the colony of Massachusetts, made a declaration of their rights by charter, in which they say, "The governor, deputy governor, assistants, and select representatives, or deputies, have *full* power and authority, both legislative and executive, for the government of all the people here, whether inhabitants or strangers, both concerning ecclesiastical and civil, without appeals; excepting laws repugnant to the laws of England." 1 *Hutch.* 455, *Appendix, No.* 13.

In their address to king Charles the second, in 1664, on the subject of the commission to colonel Nichols and others, they say, "And if the taking of this course should drive the people out of the country, (for to a coalition therein they will never come,) it will be hard to find another people that will stay long, or stand under any considerable burden in it." It is a great unhappiness to be reduced to so hard a case as to have no other testimony of our subjection and loyalty offered us, but this, viz. to destroy our own being, which nature teacheth us to preserve, or to yield up our liberties, which are far dearer to us than our lives, and which, had we had any fears of being deprived of, we had never wandered from our fathers' houses, into these ends of the earth." 1 *Hutch.* 461, *Appendix, No.* 16.

In 1670, and 1672, new *acts of trade* were passed by parliament, and certain duties laid upon articles shipped from the colonies to other countries than England, which were to be collected by custom-house officers, appointed by the commissioners of the customs in England. [See Stat. 22, and 23, Car. 2. c. 26. and 25. Car. 2. c. 7.] But as the governors were still elected and paid by the people, and as the right of parliament, to pass those acts, was questioned, they were not rigorously enforced. The legislature of Massachusetts, in a letter to their agent in England, declared them to be "an invasion of the rights, liberty, and property of the subjects of his majesty in the colony, *they not being represented in parliament.*" But as his majesty had signified his pleasure that they should be conformed to, "They had made provision by a law of the colony that they should be strictly attended to from time to time, *although it greatly discouraged trade*, and was a great damage to his majesty's plantations."

In the contest between Charles the second and the colony, respecting their charter, the latter maintained a steady, and, perhaps, we may say, a surly opposition to the views of the crown; and, when the question was taken, in the general court, whether they should surrender their charter, or suffer the *quo warranto* to issue, they decided, in concurrence with the common sentiment of the people, that "*it was better to die by other hands than their own.*"

This resolution was advised by the clergy, who, at that time, were consulted by the people in all their difficulties. The agents of the colony, in England, were instructed to make no concessions of any of the privileges conferred upon the colony by its charter.

The consequence was, that the writ of *quo warranto* was issued, and their patent cancelled.

The new government, established for the colonies, under sir Edmond Andross, and others, was subverted by a revolution in Massachusetts, in 1689, before any certain account had arrived of the revolution in England. The old colonial government was reinstated, and continued by the royal assent, until a new charter was granted by William and Mary, in 1692.

This new charter introduced some changes, which affected, radically, the independence that had been so long practically enjoyed by the colony.

The governor and other officers were no longer to be elected by the people, but to be appointed by the king. The governor was enabled to call, adjourn, prorogue, and dissolve the legislature, at pleasure. He had the appointment, solely, of all military officers; and, with the consent of the council, of all officers belonging to courts of justice. Other civil officers were elected by the two houses, but he had a negative; and no act of government was valid without his consent.

As early as 1692, the first colonial legislature, assembled under this new charter, passed an act, in the style of *magna charta*, in which, among other privileges, they declared, that "no aid, tax," &c. "should be laid," but by the consent of the governor, council, and representatives, of the people, assembled in general court."

Although there is no evidence of a design, on the part of the ministry, so early as 1696, of raising a revenue from the colonies, by taxation, yet, about that time, a pamphlet was published, recommending the laying of a parliamentary tax upon one of them. This pamphlet was answered by two others, which totally denied the power of taxing the colonies, *because they had no representation in parliament to give consent.* And lord Camden, in his speech, in April, 1766, said, "The pamphlets against taxation were much read, and no answer was given to them; nor were men startled at the doctrine, as either new, or illegal, or derogatory to the rights of parliament." 1 *Holmes*, p. 33.

In 1711, it was resolved by the assembly of New York, "That the imposing and levying any moneys upon her majesty's subjects in this colony, under any pretence or color, whatsoever, without their consent in general assembly, is a grievance and a violation, of the people's property." This resolution, however, although general in its terms, was, probably, directed only against the assumption of that power by the governor. *Marshall's History of the Colonies*, 207.

In 1754, in consequence of the approaching French war, the British government recommended an union of the colonies for mutual defence. Delegates appointed by seven of the colonial governments, viz. Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland, met in Albany; and, on the *fourth of July*, agreed upon a plan of general government for the colonies, drawn up by Doctor Franklin. 2 *Holmes*, 201.

This government was to consist of a council to be chosen by the colonial assemblies, and a president to be appointed by the king; and its powers were nearly as extensive as those of the present government of the United States.

This plan, however, was rejected by the colonies, because it gave too much power to the president; and it was not approved by the king, because it gave too much power to the people.

Instead of this plan, the British minister proposed a tax upon the colonies, to be paid into the British treasury, and to be drawn out and expended by the governors of the colonies, who were to assemble with one or two members of the respective provincial councils, and who were to meet, consult, and resolve upon the measures necessary for the common defence.

This proposition, being entirely opposed to the prevailing opinions in the colonies, was not, at that time, further pressed. *Marshall*, 284.

How far this convention and plan of government suggested the idea of the subsequent congress of 1774, or the confederation of 1781, it is not impor-

tant to enquire; but there is little doubt that the joint efforts of the colonies, and the success of their arms in the war of 1755, by bringing them to a better acquaintance with each other, by developing their resources, and by inspiring a martial spirit, and mutual confidence, led the way to their independence in 1776.

In the same year, (1754) governor Shirley informed Dr. Franklin, who was then in Boston, of the profound secret, the great design of taxing the colonies by act of parliament. Dr. Franklin gave the governor a written answer, in which, among other arguments against it, he says: "It would be treating them as conquered enemies, and not as free Britons, who hold it for their undoubted right, not to be taxed but by their own consent given through their representatives." *Political Disquisitions*, vol. 2. p. 276, 7, 8, 9, cited in *Novanglus*, edition of 1819, p. 16.

Whether the ministry were discouraged or not, by Dr. Franklin's remarks, the project was at that time, laid aside.

(*See Page* 13.)

NOTE 3.—The whole letter was published in the *Monthly Anthology*, of May, 1807, p. 256, and is as follows:

WORCESTER, *Oct.* 12, 1755.

DEAR SIR:

All that part of creation which lies within our observation, is liable to change. Even mighty states and kingdoms are not exempted. If we look into history, we shall find some nations rising from contemptible beginnings, and spreading their influence, till the whole globe is subjected to their sway. When they have reached the summit of grandeur, some minute and unsuspected cause commonly effects their ruin, and the empire of the world is transferred to some other place. Immortal Rome was, at first, but an insignificant village, inhabited only by a few abandoned ruffians; but, by degrees it rose to a stupendous height, and excelled, in arts and arms, all the nations that preceded it.

But the demolition of Carthage (what one should think would have established it in supreme dominion) by removing all danger, suffered it to sink into debauchery, and made it, at length, an easy prey to barbarians. England, immediately upon this, began to increase (the particular and minute causes of which I am not historian enough to trace) in power and magnificence; and is now the greatest nation upon the globe. Soon after the Reformation, a few people came over into this new world, for conscience' sake. Perhaps this apparently trivial incident may transfer the great seat of empire into America. It looks likely to me; for, if we can remove the turbulent Gallicks, our people, according to the exactest calculations, will, in another century, become more numerous than England itself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain the mastery of the seas; and then the united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves, is to disunite us. *Divide et impera*—Keep us in distinct colonies; and then, some great men in each colony, desiring the monarchy of the whole, they will destroy each other's influence, and keep the country *in equilibrio*.

Be not surprised that I am turned politician. The whole town is immersed in politics. The interests of nations, and all the *dira* of war, make the subject of every conversation. I sit and hear; and, after having been led through a maze of sage observations, I sometimes retire, and, by laying things together, form some reflections pleasing to myself. The produce of one of these reveries, you have read above. Different employments and different objects may have drawn your thoughts other ways. I shall think myself happy if, in your turn, you communicate your lucubrations to me. I wrote you, some time since, and have waited, with impatience, for an answer, but have been disappointed. I hope that the lady, at Barnstable, has not made you forget your friends. Friendship, I take it, is one of the distinguishing glories of man; and the creature that is insensible of its charms, though he may wear the shape of

man, is unworthy of the character. In this, perhaps, we bear a nearer resemblance to unembodied intelligencies, than in any thing else. From this I expect to receive the chief happiness of my future life; and am sorry that fortune has thrown me at such a distance from those of my friends who have the highest place in my affections. But thus it is; and I must submit. But, I hope, ere long, to return, and live in that happy familiarity that has, from earliest infancy, subsisted between yourself and affectionate friend,

JOHN ADAMS.

Addressed to Mr. NATHAN WEBB, *at Braintree.*

(*See Page* 14.)

NOTE 4.—Mr. Adams, in his preface to *Novanglus*, (edition of 1819,) speaking of his friend Sewall, says: "To James Otis, who took a kind notice of us both, we constantly applied for advice, in any difficulty, and he would attend to us, advise us, and look into books for us, and point out authorities to us as kindly as if we had been his pupils, or his sons."

(*See Page* 16.)

NOTE 5.—Mr. Everett, in a note to his "*Address in Commemoration of John Adams and Thomas Jefferson*," August 1, 1826, says: "The copy I have of this work, was printed by Almon, at London, in 1768, as a sequel to some other political pieces, with the following title, and preliminary note:"

"The following dissertation, which was written at Boston, in New England, in the year 1765, and then printed there in the Gazette, being very curious, and having connexion with this publication, it is thought proper to reprint it. The author is said to have been Jeremy Gridley, Esq. attorney general of the province of Massachusetts Bay, member of the general court, colonel of the first regiment of militia, president of the marine society, and grandmaster of the freemasons. He died at Boston, Sept. 7, 1767.

"*A Dissertation on the Canon and Feudal Law.*"

This copy formerly belonged to Dr. Andrew Eliot, to whom it was presented by Thomas Hollis. Directly above the title is written, apparently in Dr. A. Eliot's hand-writing, "The author of this dissertation is John Adams, Esq.;" and, at the foot of the page is the following note, in the same handwriting, but marked with inverted commas, as a quotation, and signed T. H.

"The dissertation on the canon and feudal law, is one of the very finest productions ever seen from North America. By a letter from Boston, in New England, signed SUI JURIS, inserted in that valuable newspaper, the London Chronicle, July 19, *it should seem the writer of it happily yet lives. T. H.*"

An edition of it was afterwards published in Philadelphia, by Robert Bell, in 1783, in a pamphlet, with lord Sheffield's observations on the commerce of the American States, and with the title of "*An essay on canon and feudal law, by* JOHN ADAMS, Esq." &c.

(*See Page* 23.)

NOTE 6.—These essays were republished in Boston, in 1819, with a preface by Mr. Adams, and with his letters to Mr. Tudor and others. It is but justice to the late judge James Wilson, of Pennsylvania, to acknowledge that many of the arguments against the general authority of parliament to legislate for the colonies, contained in Novanglus, had been published by him in a pamphlet, in August, 1774. That, however, is only one of the points discussed in "*Novanglus.*"

In addition to the many coincidencies which have been noticed in the lives of Mr. Adams and Mr. Jefferson, it may be observed, that while Mr. Jefferson was writing, in Virginia, his "Summary of the rights of British America," Mr. Adams was vindicating those rights in the most masterly manner, in Massachusetts; and while Mr. Jefferson, in America, was exalting the character of his country, by his notes on Virginia, written in answer to queries propound-

ed by La Fayette, Mr. Adams, in Holland, was effecting the same object, by his letters in answer to the queries of Mr. Kalkoen.

(*See Page* 26.)

NOTE 7.—This committee was appointed by congress, to ascertain whether lord Howe had any and what authority to treat with any persons authorized by congress for that purpose; and to hear his propositions. Lord Howe had sent an officer as a hostage, but they magnanimously took him with them. They were received with an imposing display of military force; were treated politely, but not acknowledged in any other character than that of *British subjects*; a character which they, of course, did not admit. It is unnecessary therefore, to add, that nothing resulted from the conference.

It is said by Mr. Sprague, in a note to his eulogy on Adams and Jefferson, that during the time that Mr. Adams was in congress, he served on *ninety* committees, being twice as many as any other member, except Richard Henry Lee, and Samuel Adams; and although it was the policy to put Virginia generally at the head, he was chairman of twenty-five committees.

(*See Page* 27.)

NOTE 8.—In a letter to Mr. R. H. Lee, dated "Passy, Feb. 13, 1779," Mr. Adams says, "Congress have done wisely, in my poor opinion, in confiding their political affairs, at this court, to *one*; but then I think it will be necessary to appoint consuls, or other persons, to manage maritime and commercial affairs, which I presume they mean to do. The care of these things is inconsistent with your minister's character, and the burden of them is too mighty for his forces." "In the sincerity of my heart, I assure you that no intelligence I ever heard, relieved my mind from a greater burden, than that which informed me I was a private citizen."

(*See Page* 49.)

[NOTE 9.] PHILADELPHIA, *Nov.* 15, 1775.

DEAR SIR:

The course of events naturally turns the thoughts of gentlemen to the subjects of legislation and jurisprudence; and it is a curious problem, what form of government is most readily and easily adopted by a colony upon a sudden emergency. Nature and experience have already pointed out the solution of this problem in the choice of conventions and committees of safety. Nothing is wanting, in addition to these, to make a complete government, but the appointment of magistrates for the due administration of justice.

Taking nature and experience for my guide, I have made the following sketch, which may be varied in any one particular an infinite number of ways, so as to accommodate it to the different genius, temper, principles, and even prejudices, of different people.

A legislative, an executive, and a judicial power, comprehend the whole of what is meant and understood by government. It is by the balancing each of these powers against the other two, that the effort in human nature towards tyranny, can alone be checked and restrained, and any degree of freedom preserved in the constitution.

Let a full and free representation of the people be chosen for an house of commons.

Let the house choose by ballot, twelve, sixteen, twenty-four, or twenty-eight persons, either members of the house, or from the people at large, as the electors please, for a council.

Let the house and council, by joint ballot, choose a governor annually, triennially, or septennially, as you will.

Let the governor, council, and house, be each a distinct and independent branch of the legislature, and have a negative on all laws.

Let the lieutenant governor, secretary, treasurer, commissary, attorney-general, and solicitor-general, be chosen annually, by joint ballot of both houses.

Let the governor, with seven councillors, be a *quorum*.

Let all officers and magistrates, civil and military, be nominated and appointed by the governor, by and with the advice and consent of his council.

Let no officer be appointed but at a general council, and let notice be given to all the councillors, seven days, at least, before a general council.

Let the judges, at least of the supreme court, be incapacitated, by law, from holding any share of the legislative power; let their commissions be during good behaviour, and their salaries ascertained and established by law.

Let the governor have the command of the army, the militia, forts, &c.

Let the colony have a seal, and affix it to all commissions.

In this way, a single month is sufficient, without the least convulsion, or even animosity, to accomplish a total revolution in the government of a colony.

If it is thought more beneficial, a law may be made by this new legislature, leaving to the people, at large, the privilege of choosing their governor and councillors annually, as soon as affairs get into a more quiet course.

In adopting a plan in some respects similar to this, human nature would appear in its proper glory, asserting its own real dignity, pulling down tyrannies at a single exertion, and erecting such new fabrics, as it thinks best calculated to promote its happiness.

As you was last evening polite enough to ask me for this model, if such a trifle will be of any service to you, or any gratification of curiosity, here you have it, from, sir, your friend and humble servant,

JOHN ADAMS.

RICHARD HENRY LEE, Esq.
Present.

(*See Page* 48.)

NOTE 10.—In the same work, (essay on canon and feudal law,) he thus eloquently calls upon his countrymen to turn their thoughts to the origin of government: "Let us dare to read, think, speak, and write. Let every order and degree among the people rouse their attention and animate their resolution. Let them all become attentive to the *grounds and principles of government*, ecclesiastical and civil. Let us study the law of nature; search into the *spirit* of the British constitution; read the histories of ancient ages; contemplate the great examples of Greece and Rome; set before us the conduct of our British ancestors, who have defended, *for us*, the inherent rights of mankind against foreign and domestic tyrants and usurpers; against arbitrary kings and cruel priests; in short, against the gates of earth and hell. Let us read and recollect, and impress upon our souls, the views and ends of our own immediate forefathers, in exchanging their native country for a dreary, inhospitable wilderness. Let us examine into the *nature* of that power, and the cruelty of that oppression, which drove them from their homes. Recollect their amazing fortitude, their bitter sufferings." "Recollect the civil and religious principles, and hopes, and expectations, which constantly supported and carried them through all hardships with patience and resignation. Let us recollect it was *liberty*; the hope of liberty for themselves, and us, and ours, which conquered all discouragements, dangers and trials. In such researches as these, let us all, in our several departments, cheerfully engage; but especially the proper patrons and supporters of *law*, *learning*, and *religion*."

After calling upon the *pulpit*, in strong and appropriate language, to aid in the great work, he thus addresses the *bar*:

"Let the *bar* proclaim "*the laws, the rights, the generous plan of power*," delivered down from remote antiquity; inform the world of the mighty struggles and numberless sacrifices, made by our ancestors, in the defence of freedom. Let it be known *that British liberties are not the grants of princes, or parliaments; but original rights, conditions of original contracts, co-equal with prerogative, and co-eval with government.* That many of our rights

are *inherent and essential*, agreed on as maxims, and established as preliminaries, even before a parliament existed. Let them search for the foundation of the British laws and government *in the frame of human nature*, in the constitution of the intellectual and moral world. There let us see that *truth, liberty, justice, and benevolence* are its everlasting basis."

After calling upon the colleges in the same animated style, he proceeds:

"In a word, let every sluice of knowledge be opened and set a flowing. The encroachments upon liberty in the reigns of the first James, and the first Charles, by turning the general attention of learned men to government, are said to have produced the greatest number of consummate statesmen which has ever been seen in any age or nation. The Brookes, Hamdens, Falklands, Vanes, Miltons, Nedhams, Harringtons, Nevilles, Sydneys, Lockes, are all said to have owed their eminence, in political knowledge, to the tyrannies of those reigns. The prospect now before us, in America, ought in the same manner to engage the attention of every man of learning *to matters of power and right*, that we may be neither led nor driven, blindfolded, to irretrievable destruction."

This little tract is now so rare, and so well worthy of preservation, that any printer who would republish it would confer a benefit upon the country. It would make a pamphlet of about 40 pages.

(*See Page* 50.)

NOTE 11.—I have not been able to find this letter. It is, probably, that which Mr. Adams alludes to in his letter to Mr. Perley, published in the Boston Patriot, of 13th of May, 1809, when he says: "In January, 1776, I printed my opinion of a proper form of government under the title of "Thoughts on Government, in a letter from a gentleman to his friend."

It was published by Mr. R. H. Lee, and printed by Dunlap, in Philadelphia, in January, or February, 1776. It was also published by Thomas, in his Massachusetts Spy, and there attributed to Mr. Jefferson. Being applied to, many years afterwards, by a printer, Mr. Adams gave permission to reprint it, with *his* name, who wrote it, and that of Mr. Wythe, to whom it was written. *Mr. Adams's letter to Cunningham, Nov.* 28, 1803.

(*See Page* 55.)

NOTE 12.—"The men of letters in France," Mr. Adams said, "are wisely reforming one feudal system; *but may they not unwisely lay the foundation of another?* A legislature *in one assembly* can have no other termination than in civil dissention, feudal anarchy, or simple monarchy. The best apology that can be made for their fresh attempt of sovereignty, in one assembly, (an idea, at least as ancient in France as *Stephen Boetius*) is, that it is only intended to be momentary. If a senate had been proposed, it must have been formed, most probably, of princes of the blood, cardinals, archbishops, dukes, and marquisses; and, all these together, would have obstructed the progress of the reformation in religion and government, and procured an abortion of the regeneration of France.

Pennsylvania established her single assembly in 1776, upon the same principle. An apprehension that the proprietary and quaker interests would prevail to the election of characters disaffected to the American cause, finally preponderated against two legislative councils. Pennsylvania, and Georgia, who followed her example, have found, by experience, the necessity of a change; and France, by the same infallible progress of reasoning, will discover the same necessity—*Happy, indeed, if the experiment shall not cost her more dear!*"

The "Discourses on Davila" contain a profound analysis of human passions and motives, well worthy of the deep attention of the statesman. They were collected and republished in a pamphlet, but are now out of print.

APR 30 1935